

EXTENSIONS OF REMARKS

TRIBUTE TO EDWARD A.
WEINSTEIN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. TOWNS. Mr. Speaker, I rise today to honor Mr. Edward A. Weinstein, an individual who through his public service, especially in New York, is an invaluable asset to our communities. Through his 37-year tenure at Deloitte & Touche LLP, Mr. Weinstein has made a tremendous impact to both his profession, and the community.

During his college days at Columbia College, Mr. Weinstein received academic honors and distinctions in economics. As a graduate student, he received his M.B.A. from The Wharton School. Mr. Weinstein was also a member of the Beta Alpha Psi and Beta Gamma Sigma honor societies at The Wharton School. The hard work ethic that led to his academic success has carried on to his success, not only as a devout father of two children, but also into his vast public service contributions to society. Mr. Weinstein is past President of the New York State Society of Certified Public Accountants and is a past Vice President and member of its Board of Directors. He was also a member of the Council of the American Institute of Certified Public Accountants and has been chairman and a member of many committees of the New York State Society of CPAs and AICPA.

Mr. Weinstein is the author of several articles dealing with the numerous topics that have been published in prominent publications such as The CPA Journal, The Journal of Accountancy, the Credit and Financial Management Magazine, and many others. In 1975, he won the Max Block Award of The CPA Journal for his article entitled "A Time of Travail and Challenge". Mr. Weinstein is also an individual who has been very involved in civic activities. He has been an advisor to a Junior Achievement Group as well as a member of the Financial Advisory Committee of the Salvation Army. He has been a trustee of The International House, the Fairmont Park Council for Historic Sites, the World Affairs Council, and the Federation of Jewish Agencies of Greater Philadelphia. Mr. Weinstein is very active with the United Way, and in 1992, both the NYSSCPA and AICPA recognized him with awards for his public service. Currently, he serves as a Board member of the New York City Police Foundation and the Cooper Hewitt National Museum of Design in New York.

Mr. Speaker, it is with great honor that I pay tribute to Edward A. Weinstein, a member of the community who throughout his life has always been active in society and through his service has given back innumerable amounts of resources to the community.

IN RECOGNITION OF EVELYN
CUNNINGHAM

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. RANGEL. Mr. Speaker, I would like to bring to your attention and to the attention of my colleagues here in the House, the story of a woman 82 years young, who was once known as "Big East" and the "Lynching Editor" when she was a reporter for *The Pittsburgh Courier*. This dynamo of whom I speak is none other than Evelyn Cunningham.

Evelyn Cunningham grew up in New York where she was the daughter of a dressmaker and a cab driver. She would come to work at *The Pittsburgh Courier* from 1940 to 1962, working out of the paper's New York City office at 125th Street and Seventh Avenue when not at the home office on the outskirts of Pittsburgh.

When Evelyn Cunningham entered a room, you knew it. Nicknamed "Big East" because of her high heels, red hair, mink coat, and attitude, Ms. Cunningham was a force to be reckoned with. She was also known as the "Lynching Editor" which was a name she earned as a result of her stories on the fight for equal rights in the early 1960's. She reported on the school desegregation fight in Birmingham, Alabama, and on the Montgomery bus boycott.

Presently living in Harlem where she's been a resident for the past 40 years, Ms. Cunningham is still very much active. She serves on a number of boards including the Appollo Theatre Foundation and the Studio Museum, and just recently, was among five former *Courier* reporters accepting the George Polk Career Award when the paper was honored by Long Island University.

Ms. Cunningham often prided herself on covering the hard news stories, but thought that the black press lacked 'humor'. What did she do? She changed that by writing a column of commentary called, "The Women."

Yes, Evelyn Cunningham once a star of one of the most influential newspapers in America, is someone to whom we can extend accolades of respect and admiration. This is for you Evelyn.

May God continue to bless you and keep you in his care.

REMEMBRANCE OF ANDREW
LEWIS TRUJILLO

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I speak today in remembrance of one of Ft. Collins' most well-known good Samaritans, Andrew Lewis Trujillo. Lewis, as he

preferred to be called, founded Night Walker Enterprises, a charitable organization that carried truckloads of toys, food and clothing to impoverished Indian reservations across the country. Always ready with a smile or a joke, Mr. Trujillo brought happiness and hope to hundreds of children and families each year at Christmas. Part Ute Indian, Lewis Trujillo showed tireless dedication and effort in his charitable work. He has left a legacy of giving that continues with Night Walker Enterprises, now serving 32 reservations in ten states. His efforts helped bring Coloradans together, and brought joy and happiness into the lives of many. Ft. Collins has suffered a great loss with the passing of Lewis Trujillo, but his selfless spirit lives on with all of those he touched. Thank you, Mr. Speaker.

COMMENDING JACK ALLEN, CIVIC
LEADER

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. STARK. Mr. Speaker, I would like to congratulate Mr. Jack Allen of San Leandro and his wife Elsie on their 50 years of marriage. In our community, Jack is a hero, and rightfully so. Jack labored persistently for twelve years to get a stamp to commemorate Juan Cabrillo, the Portuguese explorer of Alta California over 450 years ago.

His efforts resulted in the Juan Cabrillo commemorative postage stamp that was finally approved by the Postal Service in 1992. The stamp was a symbol of the importance of the Portuguese settlers to our founding nation. Jack's actions in our community through the Cabrillo Clubs continue the Portuguese-American contributions to our country through the clubs' charitable and education work.

Jack has demonstrated his loving commitment in another area, his marriage to his lovely wife, Elsie. We salute Jack and Elsie as they celebrate their 50th wedding anniversary.

HONORING MRS. SADIE GLOVER
SMITH

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. ENGEL. Mr. Speaker, I rise to note that Mrs. Sadie Glover Smith celebrates her one hundredth birthday. She is a remarkable woman celebrating a remarkable achievement.

She moved to New York in the 1920s with her childhood sweetheart and husband, Clifford Smith. She owned a confectionery store and a catering service. More importantly, she was the person to whom all in the community came.

As one of eight brothers and sisters she had learned to care for her family and her community. She was born in the year the Maine was

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

sunk in Havana and has seen all the changes of this century, for better or worse. Through it all she has never lost her caring for people.

In Concourse Village, where she lives, she is called aunt, cousin, sister, mother, God-mother, grandmother, neighbor and friend. I congratulate her not only for her long life but, most especially, for all the joy and goodness she has brought to all those fortunate enough to know her.

CELEBRATING THE ONE HUNDREDTH ANNIVERSARY OF THE SAINT FRANCES' RESIDENCE

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. PASCRELL. Mr. Speaker, I would like to take this opportunity to highlight a momentous milestone for the Saint Frances' Residence. On June 28, 1998, the residence will officially mark their 100th year of service to my hometown of Paterson, New Jersey.

During the latter half of the Nineteenth Century, the City of Paterson experienced a prolonged period of industrial growth. In particular, the silk industry was expanding so rapidly that Paterson was soon known as "The Silk City." Many of those working in the mills were young single women, away from home for the first time. These young women had come to Paterson to help support their families. Still others were recent immigrants with no roots in the United States. Out of concern for the well-being of these women, the Very Reverend William McNulty, Pastor of the St. John's Roman Catholic Parish, requested that the Sisters of Charity of Saint Elizabeth provide them with a stable "home for working girls."

Under the first Superior/Administrator, Sister Mary Louis Healy, the Saint Frances' Residence opened on January 1, 1897. Although its original mission was to provide a safe haven for working women, the residence also placed emphasis on providing lodging and training for ill or unemployed female domestics. The Residence was an instant success, causing it to expand from its original location at 393 Main Street to a nearby property on Jackson Street. The expansion continued during the early 1900s.

As Paterson's needs evolved, the role of the Residence changed. By 1933, Saint Frances had become a modernized "home for business women," complete with electricity and a "restful summer house." At one time, as many as 72 women lived in the residence, most of whom were gainfully employed. Breakfast and dinner were provided by the residence and a packed lunch was provided.

By the 1950s, St. Frances' began to take in more financially secure mature women. It continues to serve the City of Paterson as a home for the aged to this day. The Residence also remains an important asset to the community during times of crisis, providing housing for those who have been the victims of natural disasters. The most famous instance of St. Frances' generosity occurred in 1956 when it provided shelter for the passengers of the doomed ocean-liner "Andrea Doria."

Mr. Speaker, I ask that you join me, our colleagues, and the City of Paterson as we congratulate the St. Frances Residence on its first

100 years and wish current Superior/Administrator Sister Joyce Vincent the best of luck as the Residence begins its second century of service.

COMMUNITY FOOD BANK OF NATIONAL CITY: VICTORY AGAINST HUNGER AWARD RECIPIENT

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. FILNER. Mr. Speaker, and colleagues, I am pleased to recognize the Community Food Bank of National City as one of twelve recipients nationwide of the prestigious 5th Annual Victory Against Hunger Award.

The Victory Against Hunger Awards are distributed to anti-hunger organizations that are using innovative methods to help food banks that are running on empty. These awards, which include checks of \$1000 to each winning organization, are sponsored by the Congressional Hunger Center, headed by Representatives TONY HALL and FRANK WOLF, and Victory Wholesale Grocers of Springboro, Ohio. By the end of last year's competition, a total of \$38,000 in \$1,000 checks had been presented by Members of Congress to their winning hunger-fighting organizations.

The Community Food Bank is dedicated to breaking the cycle of poverty and providing emergency food to residents and transients, as well as assisting with needs beyond hunger such as clothing, housing, job placement, medical prescriptions, transportation and counseling.

This service began in May of 1991. At that time, it was known as the Deacon's Food Closet of First Baptist Church of National City—the dream of Chuck and Betty Black, members of this congregation. The Food Bank operated one day each week out of a small room at this church site, serving forty to fifty families.

In early 1997, a number of churches, social service agencies, and concerned citizens gathered to explore the possibilities for networking together with the hope of more effectively meeting the needs in the community. Out of this meeting came an expansion which includes a new name, a new location, plans to extend the hours of operations to three days per week, and the innovative collaboration of several community organizations. Working together, this wide range of groups and individuals are able to contribute far more to the community than working alone.

The Board of Directors is now comprised of members from four community churches including St Matthew's Episcopal Church, First United Methodist Church, First Congressional Church, and First Baptist Church of National City, the Kiwanis Club of National City, Paradise Valley Hospital, the Family Resource Center, elected officials, and other leaders of the community. A side benefit of the expanded Food Bank is that the ecumenical ties and relationships between the congregations of the community have been strengthened and enriched.

A grand opening and ribbon-cutting ceremony for the new location was just held on Monday, June 22nd, presided over by National City Mayor George Waters who was instru-

mental in obtaining this new site for the Food Bank.

The goal of the Community Food Bank is to eventually work towards a five day operation. There are no paid staff, and a group of volunteers provide all the man and womanpower. The Food Bank holds several food drives each year and actively seeks cash donations to improve the quality and quantity of the food. They work to provide food that represents all major food groups.

My congratulations go to the Community Food Bank of National City, to the officers (Chair Rev. Patricia Andrews-Callori, Vice Chair Rev. W. James Kilinsky, Secretary Rev. Adiel De Pano, and Treasurer Ben Martinez), and to all the other members of the community who are working together on this vital project. I am proud of the cooperation of so many community groups and individuals which is making a difference in the lives of many National City residents.

IN RECOGNITION OF JOE TUNNELL

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. HALL of Texas. Mr. Speaker, I rise today to pay my respects to a dedicated protector of the law and a fine American—Judge Joe Tunnell of Tyler, Texas—who died on June 9. Judge Tunnell also was a devoted father and husband, and he will be dearly missed by all those he touched in East Texas.

Joe Tunnell, the son of a Van Zandt County, Texas farmer, was born June 4, 1918, and attended the Grand Saline school system. He earned his bachelor's degree and teaching certificate from North Texas State Teachers College. Upon graduation, he briefly taught high school before entering the U.S. Navy, where he served during World War II. Afterward, in 1948, he received his law degree from Southern Methodist University.

In 1950, Mr. Tunnell was elected Van Zandt County District Attorney—an office he held for eight years. He left Van Zandt County to become assistant U.S. Attorney for the Eastern District of Texas and then briefly as interim U.S. Attorney before returning to private practice. In 1985 Mr. Tunnell was appointed to the 241st District Court bench, where he served until retirement in 1993. Judge Tunnell was known for his no-nonsense, tough, yet fair decisions, and for his genuine concern for people.

Judge Tunnell lived his life in the same manner he handled decisions on the bench—with grace and dignity. He was also a long time member of Pollard Methodist Church. He is survived by his daughter and son-in-law, Jo Ann Tunnell and Bill Atkins of Tyler; his two sons and daughters-in-law, T.R. Tunnell and Debbie Pool Tunnell, Dallas, and John W. Tunnell and Jackee Cox Tunnell of Huntington, Texas; as well as his three sisters and two grand sons, Matthew and Adam Tunnell. Mr. Speaker, as we adjourn today, let us do so in honor of and respect for this great American—the late Judge Joe Tunnell.

THE FRAGILE FUTURE OF HAITI

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. CONYERS. Mr. Speaker, next week I will be leading a bipartisan delegation to the nation of Haiti. I have been there many times in the last five years, and never before have I seen obstacles of nation-building so substantial and the determination of a people so focused.

In December 1990, Jean-Bertrand Aristide was elected president in the first democratic elections Haiti ever held. He overwhelmingly defeated all the other candidates, including the U.S.-backed candidate. Less than one year later, in September 1991, he was overthrown by a military coup d'etat. The international community responded with a massive embargo to try to squeeze power from the grip of the junta.

During the years of the military regime, Haiti suffered under horrible human rights conditions. The terror that people thought they had put behind them in 1986 and 1987 when the Duvalier dictatorship ended and a new constitution was formed returned with a new vengeance. Supporters of democracy were harassed by attachés and the FAHD, as the Haitian army was called. Worst of all, as many as 5000 people were killed by a paramilitary organization called FRAPH, led by a U.S. intelligence contact named Emmanuel "Toto" Constant.

By 1994, President Clinton decided that this was too much and it was time to act. On September 19, U.S. troops led a multi-national force in Operation Uphold Democracy that restored Haiti's legitimately elected government to power.

It soon became obvious, though, that Haiti's challenges had just begun.

For one, Haiti had to figure out what to do with a military that was 7,000 soldiers strong. It managed to abolish that corrupt institution and build an interim public safety force with the help of the international community. Since then Haiti has been working with the United States and the international community to build a civilian police force that respects the rule of law and human rights while gaining the confidence of the population. Now the police force is 6,500 officers strong, and the U.S. is largely responsible for training 5,200 of them.

Haiti also had to revitalize an economy that had been ravaged by a massive drug trade, a constant flow of contraband, and the flight of private investment in the face of the embargo. Today real GDP growth is hovering around 3 to 5 percent, inflation is down to a remarkable 7 percent, and exports are up 44 percent. Many economic reforms have taken place, and the government is ebbing toward dialogue with those popular organizations, unions, and people who have an interest in seeing that they occur in the least harmful way, and with the greatest democratic input. Economic reforms need to happen, but they will only be successful with the full consent and participation of those most profoundly affected by them.

Haiti also discovered that political interests that had united around Aristide before and during the coup began fragmenting, creating a diversity of views but also a new kind of politi-

cal confusion. This confusion has culminated in a political paralysis that has left Haiti without a prime minister for over a year now.

I am going to Haiti with my good colleagues, Mr. DELAHUNT from Massachusetts and Mr. CHRISTENSEN from Nebraska in the hopes that we can gain some insight into the crisis, offer our thoughts, and describe to them what I think is happening here in Washington with regard to Haiti. Mr. Speaker, I think Haiti has slipped from the radar screen of many in Congress, which I think is very problematic. I also think it is clear that those in Congress who do follow Haiti closely are terribly frustrated with this enduring political crisis that has dragged on for so long.

This delegation is going to Haiti because we believe a political solution is necessary and possible. I hope the American people and the Congress are prepared to give this fragile democracy the attention it deserves. We need to do everything we can to make sure this nation succeeds and that the hard fought gains of the democratic movements of the 1980's are not turned back. Let's keep hope alive in Haiti.

TRIBUTE TO BILL McDONALD

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. KOLBE. Mr. Speaker, I want to take this opportunity to recognize my friend Bill McDonald, a constituent from Douglas, Arizona, who earlier this month was awarded a prestigious "genius grant" by the John D. and Catherine T. MacArthur Foundation. I can't think of anyone more deserving of this recognition, for I have seen the fruits of Bill's particular vision and genius first hand.

Bill and I have a few things in common: We both grew up on family ranches in southeastern Arizona, and we both have an abiding faith in the bedrock values of hard work, individual liberty, and personal responsibility. We also share a love for the land which, in Bill's case, has sustained his family for five generations.

To appreciate the true significance of the accomplishment for which Bill has been recognized, one must first understand that there is a real Range War raging through the American West today. It is a classic conflict that pits certain environmentalists against the cattle ranching industry, and federal land managers have been caught in the crossfire.

Bill decided to reject the old paradigm and try something new. With true pioneering spirit, he established the Malpai Borderlands Group, a group of neighboring ranchers whose properties, along with adjacent public lands, comprise about one million acres of contiguous territory in southeastern Arizona and southwestern New Mexico.

Under Bill's leadership, and in cooperation with various federal land management agencies, conservationists and scientists, the Malpai Borderlands Group ranchers have developed an innovative, voluntary land management strategy. They also have funded programs to identify and protect endangered species on their land.

Through a unique, cooperative grass banking program, participating ranchers are permitted to graze their cattle on one another's

property. This eliminates problems, such as erosion and habitat destruction, that can result from overgrazing.

Group members also have pooled resources to support experimental land management programs, including the replanting of native grasses. And they have agreed to establish permanent conservation easements to prevent the open range from being subdivided for residential development.

Bill and his neighbors have demonstrated that cattle ranching can be both economically rewarding and ecologically responsible. And the Malpai Borderlands Group that he founded is proof positive that ranchers, acting with enlightened self interest, can be the best stewards of the land they love.

HONORING OFFICER THOMAS A. PORTER

HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. KENNEDY of Massachusetts. Mr. Speaker, I rise today to pay tribute to a valiant peace officer who time and time again over his long career in law enforcement demonstrated bravery and self-sacrifice.

Officer Thomas A. Porter, a native of the great Commonwealth of Massachusetts, showed from an early age his devotion to law enforcement—working as a teenage Junior Deputy to educate his school peers about the dangers of drug abuse. While working his way through the University of Alabama, Officer Porter received high honors in the fields of criminal justice, social work, and public relations, and served as an intern to a state supreme court judge and future U.S. Senator.

But it was in his chosen field of law enforcement that Officer Porter most distinguished himself.

His first assignment came with the Hyannisport Police Department on Cape Cod, where he served and protected every resident of the community, including the members of my family. During his tenure on the Hyannisport force, Officer Porter, in complete disregard for his own safety, broke down the door of a burning house and rescued an 82-year-old man.

Officer Porter left Cape Cod for Wintergreen, Virginia, Police Department, where he continued to compile an outstanding record, uncovering a notorious burglar ring and working on special assignment with the Secret Service and the Federal Bureau of Investigations.

Officer Porter's law-enforcement career came to a tragic and premature close in 1992. While confronting a suspect in a breaking-and-entering investigation, he was run over by the suspect's vehicle and suffered spinal cord injuries and several broken bones. He was paralyzed for almost two years but through rehabilitation has been able to regain partial mobility. Throughout the period of his convalescence, Officer Porter has served as an inspiration to fellow disabled officers.

In recognition of his selfless duty and willingness—at any moment of danger—to give his last full measure of devotion, the National Trust of Chiefs of Police Association voted earlier this year to award Officer Porter the Legion of Honor Medal as well as the Silver Star for Bravery.

I had the privilege today of presenting these honors to Officer Porter during a ceremony in my office. His career in law enforcement stands as a model to all who aspire to public service, and his courage in the face of catastrophic injury serves as an inspiration to every American.

HONORING RHONDA (RANDI)
WEINGARTEN

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. ENGEL. Mr. Speaker, today I would like to praise a woman who has accomplished much. Rhonda (Randi) Weingarten is the new president of the 130,000-member United Federation of Teachers, the largest local union in the United States. She is also vice president of the 960,000 member American Federation of Teachers, the UFT's national affiliate and is a member of the Board of Directors of both the New York State United Teachers and the New York City Central Labor Council.

From 1986 to 1998 Randi served as counsel to UFT President Sandra Feldman, taking a lead role in contract negotiations for teachers and other school employees. When Ms. Feldman became president of the American Federation of Teachers, Randi was selected to serve as president. She has a B.S. from Cornell and graduated cum laude from the Benjamin N. Cardozo School of Law. She was also an adjunct professor at Cardozo from 1986-91. She first became affiliated with the UFT when working for a prestigious law firm which had the union as a client.

She has served as legislative assistant for the New York State Senate Labor Committee and as a mediator on disputes originating in the New York Criminal Court. She has served as a member of the board and then as chairperson of the Health Insurance Plan of Greater New York. She is also a certified teacher of social studies and American History.

Randi continues to advance the cause of education in New York. I look forward to working with her to keep the education of our youth as the highest priority of the people and our governments at every level.

TRIBUTE TO MACGREGOR RANCH

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I rise today to acknowledge the history and legacy of one of Colorado's oldest and largest historic cattle ranches, the MacGregor Ranch, and to pay tribute to all of those that worked to create, operate and protect it. This scenic, 3,000-acre ranch is located near the growing town of Estes Park and Rocky Mountain National Park.

Homesteaded by Alexander and Clara MacGregor in 1873, the MacGregor ranch will celebrate its 125th anniversary as a working ranch on August 28 and 29, 1998. Moreover, Clara MacGregor, the first postmistress in Estes Park, will be honored with a commemorative postmark.

The MacGregor's granddaughter, Muriel Lurilla MacGregor, ran the ranch until her death in 1970. A remarkable woman, Muriel earned a law degree from the University of Denver at a time when women lawyers were practically unknown. She also held degrees from the University of Colorado and from Colorado College. Hoping to preserve the beautiful ranch, Muriel's estate planning called for the ranch to be held in trust, and operated as it had been.

The Internal Revenue Service, however, disagreed and attempted to collect over two million dollars in inheritance taxes and fees from the relatives of Mrs. MacGregor. Fortunately, some civic-minded volunteers and a few lawyers in the Colorado Attorney General's Office worked diligently to prevent that, and to save the ranch from impending litigation and sale. Attorneys Ruth Anne Garland, James Riles and Howard Kennison put in eight years of hard work on the issues. They contributed their time and expertise to help resolve the many complex legal and tax issues clouding the future of the ranch. Gladys Thomson, and Orpha Kendall contributed considerable time and labor to keep the ranch operating after Muriel's death. With all of their help, the IRS negotiated a solution, and the Department of the Interior contributed funds for a scenic easement on the property. The MacGregor Ranch has now been listed on the National Register of Historic Places.

Volunteers now staff a visitors center for the charitable trust that holds and operates the ranch. Notably, the ranch attracted nearly seven thousand people last year. They come from around the nation to witness the active cattle ranch, and to revel in scenery and history as rugged as the Rocky Mountains. Students and youth groups make up a large proportion of the visitors. At the MacGregor ranch, children see how the hardy pioneers once made their living from the land. I am encouraged that all of those children have the opportunity to see how a ranch operates, and to see what good stewards of the land Colorado ranchers have been.

Mr. Speaker, the MacGregor family has left a lasting legacy for all of us to enjoy. I salute them, and all of the good people who worked to preserve that legacy. We all have a lot to gain from preserving our history and preserving the ranching way of life.

THE ADOPTION TAX CREDIT AND
EASING ADOPTION COSTS

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. GINGRICH. Mr. Speaker, I would like to commend to the attention of my colleagues the following editorial from the Marietta Daily Journal, which recognizes the importance of the Adoption Tax Credit passed by Congress in 1996 and urges further Congressional action to ease the costs involved in adopting a child.

[From the Marietta Daily Journal]

"AYE" TO ADOPTION CREDIT

People adopt children for lots of reasons. However, the desire to gain a tax break is not one of them. Yes, adoptive parents do receive a tax break from Uncle Sam, but the

amount scarcely comes close to what the adoption process actually costs.

Prospective adoptive parents easily can incur legal fees, medical bills, travel expenses and other costs in excess of \$20,000, according to Cobb County's Mark Johnson, executive director of the Hope for Children adoption agency.

With that in mind, House Speaker Newt Gingrich has announced a push to raise the adoption tax credit to \$8,000 from \$5,000 in hopes of spurring more people to adopt. He also would make the credit available to upper-income adoptive parents. And Mr. Gingrich knows a bit about adoption, having been adopted as a boy by his mother's second husband.

The speaker reasons that children who are adopted are more likely to grow up loved and as contributing members of society than children who spend their youths as wards of the state.

"It is so much better to have an adoption-child tax credit, which is one-third to one-fourth the cost of a year in prison, than it is to have that child end up 16 years later in jail," he said.

An increase in the tax credit would increase the number of adoptions of children that are least likely to be adopted—disabled children, minorities and siblings. Gingrich also announced plans to push for a change in the law that would limit the legal rights of biological parents who refuse to sign adoption papers, even though they fail to support their children financially.

"You can't run a society in which a totally irresponsible person, possibly to blackmail money out of you, can refuse to sign a document for a child they're providing no support for," he argued.

That makes perfect sense to us. And as for increasing the tax credit, the HOPE agency's Johnson predicts the number of adoptions would double if it was increased. That also makes sense, and we hope Congress heeds the speaker's advice.

INTRODUCTION OF THE INTERNATIONAL TAX SIMPLIFICATION
FOR AMERICAN COMPETITIVENESS ACT

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. HOUGHTON. Mr. Speaker, I am joined by my colleagues, Messrs. LEVIN, CRANE, MATSUI, HERGER, JOHNSON, ENGLISH and NEAL, in introducing legislation to simplify and reform our current international tax laws. As all of you know, we are in a period of fundamental re-examination of the Internal Revenue Code. One of the most complicated and impenetrable areas of the Code and most in need of change is the foreign area. Our international trade laws have gotten ahead of our tax laws for this area. We consider our bill to be a "down payment" on needed changes in this area.

Now as we begin the process of re-examining in fundamental ways our income tax system, we believe it imperative to address the area of international taxation. In an Internal Revenue Code stuffed with eye-glazing complexity, there is probably no area that contains as many difficult and complicated rules as international taxation. Further, I cannot stress enough the importance of continued discussion between the Congress and Treasury of

simplifying our international tax laws; especially in the areas of interest allocation, partnerships, and the European Union.

The business world is changing at an increasingly rapid pace. As we all know, tax laws have failed to keep up with the rapid changes in the world technology and economy. Neither one of us is under any illusion that the measure which we introduced removes all complexity or breaks bold new conceptual ground. We believe, however, that the enactment of this legislation would be a significant step in the right direction. The legislation would enhance the ability of America to continue to be the preeminent economic force in the world. If our economy is to continue to create jobs for its citizens, we must ensure that the foreign provisions of the United States income tax law do not stand in the way.

The focus of the legislation is to put some rationalization to the international tax area. In general, the bill seeks in modest but important ways to: (1) simplify this overly complex area, especially the foreign tax credit and the various antideferral mechanism; (2) encourage exports; (3) enhance U.S. competitiveness in other industrialized countries. And it seeks to achieve these objectives in a revenue-conscious manner.

Specifically, the provision regarding the Subpart F exception for active financial services income is based in large part on the one-year rule embodied in H.R. 2513, the House passed bill that resulted from lengthy negotiations between the Treasury Department and the financial services industry. The bill's provision are not intended to replace the one-year rule in H.R. 2513 that could well be enacted this year. Rather, the bill includes additional options that taxpayers would like to see in a permanent rule, to facilitate discussion regarding the parameters of a permanent rule that would effectively level the playing field with respect to our foreign competition.

Furthermore, the bill allows deferral for cross-border income received by controlled foreign corporations engaged in the active conduct of a banking, financing, or similar business, under narrowly defined circumstances that are designed to preclude opportunities for excessive "mobility" of income. The first safeguard is the requirement that income eligible for deferral must be derived from a transaction with a "customer;" the definition of a customer (which is identical to the definition prescribed under proposed treasury regulations dealing with passive foreign investment companies) would not permit a related-party transaction to qualify if one of the principal purposes for such transaction was to satisfy the underlying provision. Second, the requirement that employees meet a "material participation" test will reinforce the "active" nature of the covered activities. Thus, corporations holding passive investments would be precluded from relying on the rule.

The law as now constituted frustrates the legitimate goals and objectives of American business and erects artificial and unnecessary barriers to U.S. competitiveness. In addition, the law stands as a monument to the act that the conceptual complexity of man as applied to the Internal Revenue Code knows no limits. Neither the largest U.S. based multinational companies nor the Internal Revenue Service is in a position to administer and interpret the mind numbing complexity of many of the foreign provisions. Why not then move toward

creating a set of international tax rules which taxpayers can understand, and the government can administer?

In summary, therefore the proposed changes we believe represent a creditable package and a "down payment" on further reform in the international tax area. We ask you to join us, in this bipartisan effort, by supporting our legislation.

EXPLANATION OF VOTE ON H.R. 4103

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. CRANE. Mr. Speaker, on the evening of Wednesday, June 24th, I was away from the Capitol complex and was not notified of an impending vote. As a result, I was unable to record my vote on rollcall No. 266. Had I been present, I would have voted for H.R. 4103, The Department of Defense Appropriation bill. Indeed, I must compliment my colleague BILL YOUNG, Chairman of the Appropriations Subcommittee on National Security, for his fine work on this legislation. There is no more important appropriations bill considered by Congress than the bill providing funding for the defense of our nation, and nobody takes his responsibility more seriously than Chairman YOUNG. I look forward to Chairman YOUNG bringing back a conference report mirroring the priorities in the House version of H.R. 4103, and, assuming that to be the case, I will proudly cast my vote in support of this legislation at that time.

HONORING MAUREEN WALKER

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. ENGEL. Mr. Speaker, public service, when done honestly and done well, is the noblest of callings. Thus, I rise to honor a public servant who shows that definition to be true.

Maureen Walker has demonstrated unwavering integrity and an ardor for fiscal responsibility as Comptroller of the City of Mount Vernon. She has also shown a dedication to helping others throughout her community.

Her success has the quality of myth surrounding it. She was born in a village in Guyana to Caleb and Mildred Headley and perhaps it was living in a village that gave her the strong sense of community service that she has shown in her adoptive country.

She came to America and attended Brooklyn College, graduating Magna Cum Laude and received scholarships from Chase Manhattan and the National Association of Black Accountants. Maureen is a Certified Public Accountant with more than ten years experience. She was a senior financial analyst with Equitable Life Assurance and an auditor with Arthur Anderson & Company before becoming Mount Vernon's gain.

She has received numerous awards and has served on the Board of Estimate, the Urban Renewal Agency, the Board of Assessment and Review and, of course, on the

Board of Junior Achievers. She is also a member of the Board of the Community Aid Club.

Working with Maureen over the years I came to appreciate her ability and dedication. She gave herself to helping her community. Mount Vernon is better not only because she has served as its Comptroller, but especially because she lives there and cares.

HONORING PAUL O'DWYER

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Ms. VELÁZQUEZ. Mr. Speaker, it is with great sadness that I rise today to recognize the passing of Paul O'Dwyer. Paul was a man of unquestioned principle who selflessly devoted his life to promoting understanding. His loss will be felt not only in New York but also around the world.

Born on an impoverished farm in Ireland, Paul O'Dwyer's humble beginnings awakened in him a desire to help those less fortunate. Subsequently, he became a champion for the underdog and a tenacious fighter for social justice. In his native country, Mr. O'Dwyer actively promoted a peaceful resolution to the conflict which plagued northern Ireland.

Upon arriving in this country, he immediately sought to correct the injustices he saw around him. Mr. O'Dwyer defended workers, teachers and civil-rights activists accused of Communist sympathies. He also helped register black voters in Mississippi during the civil rights movement.

Paul O'Dwyer's popularity among the common man helped him get elected to the New York City Council in 1963. He served as president of this organization from 1973 to 1977. Despite the constraints on his time, Paul remained a progressive leader of the Irish community in New York.

Perhaps Mr. O'Dwyer will be best remembered for his work with the United Nations, where he served as a liaison between countless diplomats and the City of New York. His ability to find common ground between New Yorkers and representatives from around the world earned him universal respect and admiration.

Mr. Speaker, yesterday New York lost a remarkable individual. This country and indeed the world could use more people like Paul O'Dwyer.

LITTLE THEATER HONORED

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to the Little Theater of Wilkes-Barre, Pennsylvania. This week the Little Theater will celebrate its 75th anniversary; it is believed to be possibly one of the oldest community theaters in the country. I am honored to have been asked to participate in this important celebration.

The Little Theater has been providing quality entertainment in Northeastern Pennsylvania since it was organized in 1922. The Theater's

original founders were some of the most prominent families in the area, including Mrs. Simon Long, Mrs. Frank G. Darte, Mrs. Ernest G. Smith, Annette Evans, Daniel W. Davis, Todd Rippard, Bernard Burgunder, Brandon Gearhart, Rajean Breese, and Leonard Parkhurst. With no building of its own until 1957, the first performance of the new group was performed at what was then Wilkes-Barre High School.

The Little Theater was established for the purpose for the purpose of stimulating local interest in the performing arts. In addition to producing first-rate shows, the Theater provides training for people of all ages. The Theater has sponsored a workshop specifically for high school students for the last 12 years.

The Little Theater stage has hosted such noted artists as actor James Karen, Tony Award-winner Santo Loquasto, film designer Maher Ahmad, founder of the Pennsylvania Ballet Society Barbara Weisberger, and even Judge Harold Flannery and the late Congressman Daniel Flood and his wife, Catherine.

The Little Theater's tradition of excellence is continued today by General Manager Walter S. Mitchell Junior, Artistic Director Ann Marie Kopeck, and Technical Director Christine E. Rook. Their efforts are supposed by the current members of the Little Theater's Board: Joe Lucas, Bonnie Biros, Barb Wilson, Lisa Y. Fink, Deb Kolojchick, Mary Ann Ulichney, Chet Newhart, and Marge Dewees.

Mr. Speaker, the Little Theater has produced more than 300 Broadway-style productions since its inception. It is the only community theater in Northeastern Pennsylvania with full orchestration in its musical productions. I am extremely pleased to be able to join with the community in thanking the Little Theater of Wilkes-Barre for 75 wonderful years. I send my sincere best wishes for the little Theater's continued success.

HAPPY 100TH ANNIVERSARY
SAGINAW COUNTRY CLUB

HON. JAMES A. BARCIA

OF MICHIGAN

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. BARCIA. Mr. Speaker, Americans have always taken maximum advantage from opportunities to join together in matters of common interest, and have used clubs for the benefit of the membership and the community. One such organization, the Saginaw Country Club will this week celebrate its 100th anniversary.

Charles H. Davis, a devotee of golf, formed the Saginaw Country Club on October 11, 1898 with his fellow townsmen. The club operated with its gentlemanly understandings until the Articles of Incorporation were filed on October 1, 1901. Over the years, the club grew from its 100 members and nine-hole old course to add tennis, croquet, shooting traps, and a race track. An additional nine holes were opened in May, 1912, and the Club was the site of the first State Golf Tournament in 1913. Further expansions, modernizations, and remodeling over the years brought the Club to the outstanding status that it has today.

The philosophy of the Club is an enviable one. Every member is absolutely equal. The Club is a place of relaxation, not a place of business. Everyone is encouraged to be actively involved in their communities, and to support philanthropic endeavors, but such activities are not on-going designed actions for the Club. The President serves for but a single term so that over time there is ample opportunity for leadership to be passed among the members, and not become the mainstay of a limited group.

Mr. CAMP. Mr. Speaker, I join my colleague in recognizing the Saginaw Country Club on its 100th Anniversary. Over the past 100 years this club has offered recreation and an escape for its members. The Saginaw Country Club has grown and changed over the years—but has always remained a special place. It has been host to some of the great golf legends—such as Arnold Palmer, Ben Hogan, Byron Nelson and Jimmy Demaret. Carved out of land from the oldest part of Saginaw—the Country Club continues to host one of the oldest invitational golf tournaments in the State of Michigan. This rich history is what makes Saginaw Country Club's 100 years of existence so interesting.

Today, it remains an intricate part of its community and maintains an excellent reputation for the many activities offered. From holding annual 4th of July festivities for families and sponsoring championship swimming teams—the Country Club plays an important role in its surrounding community. As with any organization, there have been countless memories associated with the Country Club over the past 100 years. Through this club, the members have developed friendships and enjoyed special events. The Country Club continues to grow—while not sacrificing the characteristics that made it what it is today.

This weekend friends of the Country Club will come together to reflect on the past 100 years. They will remember special times and look forward to many more to come. So as the Country Club's famous bridge links its front nine to the back nine—it will also continue to bring many different age groups together for years to come. It is this linkage that will maintain its rich tradition and heritage. We wish the Saginaw Country Club many years of continued success.

DISTURBING PANAMANIAN
REALITIES

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. CONYERS. Mr. Speaker, the U.S. has been intimately connected to events in Panama for one hundred years. If anything, this relationship has intensified in recent years, as the time approaches for the reversion of the Canal Zone back to the people of Panama on the last day of this century. But rather than it being a happy occasion, considerable apprehension seems to exist among the average Panamanian whether local authorities will be able to effectively administer the Canal. Anna M. Busch, a researcher with the Washington-based Council on Hemispheric Affairs has authored an article scheduled to soon appear in COHA's biweekly publication. *The Washington*

Report on the Hemisphere. In her article, Busch cites the disturbing case of Dr. Miguel Antonio Bernal, a highly regarded Panamanian professor of international law, who has had an exemplary history of being a gadfly in defense of democracy against a long line of authoritarian figures, including General Manuel Noriega, for which he had to flee the country.

Because of the transcending importance to the U.S. of the well being of the Panamanian people, and the desire of all Americans to see an effective transition in the return of the Canal Zone to Panama as stipulated under the terms of the Carter-Torrijos Treaty of 1977, I urge my colleagues to closely examine the Council on Hemispheric Affairs article authored by Anna M. Busch for its important insights into a series of issues, including the multinational drug facility, which is now being negotiated with Panamanian authorities.

DISTURBING PANAMANIAN REALITIES

(By Anna Marie Busch)

As a result of the 1977 Carter-Torrijos Canal treaties, the U.S. is in the middle of the process of handing over the last vestiges of control over its Canal Zone facility, which must be transferred to local authorities by December 31, 1999. As it readies to do so, thousands of U.S. military personnel have left the country and the Southern Command already has moved its headquarters to Miami. But, the questions being raised by many Panamanians are whether Panamanian President Ernesto Perez Balladares, whose government has been plagued by charges of nepotism, drug cartel links, and human rights violations, is capable of taking charge of canal operations, or, for that matter, deserves to remain in office for another term. Apparently, many Panamanians have grave doubts, at least on the first point, with recent polls indicating that 70% of the population favors the facility to remain under some form of U.S. supervision.

PETTY PANAMANIAN POLITICS

Former Vice-President Richardo Arias Calderón observed in the *New York Times* last September, "whoever is in power for the next term will have the opportunity to take some big decisions and grant some important contracts. That generates economic power, and if not done transparently, offers ways to favor certain economic interests and law firms." Arias' prophesy and the poll regarding the future status of the canal, reflect genuine misapprehensions by Panama's citizens over the country's lack of civic rectitude and the grave doubt which many of them entertain regarding the personality and performance of President Perez Balladares.

Although the Panamanian constitution bars any incumbent from serving two consecutive terms and mandates a ten year interval before a candidate could qualify for reelection, Perez Balladares, following the disquieting trend among Latin American presidents like Peru's Fujimori, Brazil's Cardoso, and Argentina's Menem, is moving a proposed referendum through the legislature, which is controlled by his party. The supplemental bill, expected to pass in August, would allow him to run for reelection when the canal's transfer takes place. Not leaving matters to chance, four of the eleven board of directors chosen by the ruling Democratic Revolutionary (PRD) leader to oversee the control of the canal, are relatives of either Perez Balladares or his wife.

The referendum, which many Panamanians consider unconstitutional, has caused a vocal outcry among many scholars and other critics of the Perez Balladares government. One prominent analyst, Dr. Miguel Antonio

Bernal, a distinguished university professor and popular radio commentator, who repeatedly has voiced his negative opinions on the referendum, and has made allegations concerning government excesses and wrong-doings, has now been indicted by the state attorney after he had suggested that the National Police had bungled an ongoing case in which four prisoners had been decapitated. Though Dr. Bernal has long been viewed as a perpetual irritant by the authorities (just as he had been under the Noriega regime when he was forced to flee into exile) for his outspoken criticism of corrupt government practices, official Panamanian sources predict that the new charge against him may again result in enforced exile.

Dr. Bernal's case was suspended by the judge at the end of its June 19 preliminary hearing due to a motion presented by defense attorneys requesting that legal basis of charges against the defendant be declared as unconstitutional. The trial will be postponed indefinitely until a higher court rules. Although the defendant's highly visible profile and fame drew wide support for him, the average Panamanian dissident could never hope for such a crowd and such widespread attention. This is why the final disposition of the Bernal case is so important to the future of Panamanian democracy.

Despite the fact that the Panamanian constitution guarantees freedom of expression, that same document also contains clauses which the authorities intentionally entered into it in order to silence its would-be critics. For example, article 33 allows for the State to "fine or arrest any person who offends or shows disrespect to them [government officials] when they are in performance of their duties or because of their performance of the same." In the country's Penal Code, a charge of "slander and offense" can bring about fines or imprisonment. Long controversial Law 67 of 1978 forbids the practice of journalism by people who do not have "professional competence."

REMOVING THE CHECKS AND BALANCES

On February 5 of last year, Perez Balladares signed a bill creating a new office, "Defender of the People" (Human Rights Ombudsman). This official, even though working on a pathetically meager budget, was initially given broad powers to investigate accusations of human rights abuses and to disseminate his findings. The terms of the position also allowed the ombudsman to step in and negotiate complaints having to do with the Attorney General's office, and the proper functioning of the Electoral Tribunal. But, in a troubling ruling by the Court last February, his latter powers were revoked. The Perez Balladares government originally had set up the Human Rights Ombudsman office as a way to placate international human rights groups, but as time passed, more and more of its powers have been yanked away. The ombudsman, (constitutional law scholar Italo Antinori), now must learn to cope with hundreds of complaints, a low budget, and an office whose powers largely have been retrenched.

PEREZ BALLADARES' EYE ON THE PRIZE

Though the transfer of the canal is certainly on the minds of U.S. government and Panamanian officials, this issue does not exhaust their bilateral agenda. Slow negotiations over a multinational anti-drug center still must be successfully concluded, the legality of the proposed referendum allowing for Perez Balladares to seek reelection confirmed, and the accusation that basic civil rights are being trampled on must be resolved. A long list of brutality charges against the National Police remain to be investigated; a Supreme Court, which according to the State Department is "subject to

corruption and political manipulation," must be reformed and governmental links to drug cartels and money laundering schemes investigated. Perez Balladares' current mildly anti-U.S. stance is being seen as a form of self-serving demagoguery, in which he artfully wraps himself in the nation's flag to gain support for his August referendum from the nationalist core of his party's rank-and-file. Thus far, he has turned down U.S. transitional assistance funds for the canal, preferring to accept aid from Asian or EU sources, in order to lessen Washington's presence and influence. Regardless, if current practices remain, any ongoing mismanagement of the canal could result in a huge disappointment for the country, both in terms of shortfalls in shipping revenue, and also due to impediments to the Canal's tourist and industrial development potential. Any slowdown in growth could also present a springboard for his many political adversaries to savage any dreams he might have had of reelection.

IN RECOGNITION OF COLONEL RANDALL T. SMITH

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. HALL of Texas. Mr. Speaker, it is a pleasure for me to pay tribute to a truly exceptional Marine: Colonel Randall T. Smith, who will be retiring on October 1, 1998, after more than 26 years of service to this great nation. His dedication and professionalism have earned him the respect of his seniors, peers and his subordinates.

Colonel Smith is a graduate of East Texas State University with a Bachelors Degree in Business Administration. He was commissioned a Second Lieutenant upon graduation from Officers Candidate School in May 1972, and completed the Basic School in November 1972. After graduating from the Aviation supply Officer's Course in February 1973, Colonel Smith was assigned as Squadron Supply Officer with VMAT-203, MCCRG-20, Marine Corps Air Station, Cherry Point, North Carolina, in March 1973—during which the squadron received its first AV-8A Harrier. He was promoted to First Lieutenant in April 1974.

Colonel Smith next served in various H&MS-12 Group Supply Department billets, until he was transferred to the 4th Marine Aircraft wing in August 1976. He was promoted to Captain in November 1976 and served as Officer-in-Charge of the Marine Reserve Aviation Supply Training Unit in New Orleans, Louisiana, until July 1978.

After graduating from Amphibious Warfare School, Marine Corps Base, Quantico, Virginia, in June 1979, Colonel Smith reported for duty with H&MS-13, Marine Air Group-13, Marine Corps Air Station, El Toro, California. There, he served as the Group Aviation Supply Support Center Officer, and subsequently, as Group Supply Officer. Colonel Smith, then, transferred to H&MS-24, Marine Air Group-24, Marine Corps Air Station, Kaneohe Bay, Hawaii in August 1981, for duty as the Group Supply Officer where he was promoted to Major in June 1982.

From August 1984 to June 1985 Colonel Smith attended the College of Naval Command and Staff, Newport, Rhode Island, and also was awarded a Master of Science De-

gree in Management from Salve Regina College. Following graduation from the Naval War College, he was ordered to Naval Air Systems Command, Washington, D.C., where he served as the Naval Aviation Logistics Command Management Information Systems (PMA-270) Deputy Program Manager. In January 1988, Colonel Smith transferred to Headquarters, Marine Corps (Department of Aviation) for duty as the Aviation Supply Support Officer for the Marine Corps.

In September 1988, Colonel Smith reported to Navy Supply Corps School, Athens, Georgia, for duty as Marine Corps Representative for Northeast Georgia and Head Marine Corps Training Division, where he was promoted to Lieutenant Colonel in April 1989. Colonel Smith, then, reported to Marine Air Logistics Squadron-29, Marine Air Group-29, Marine Corps Air Station, New River, North Carolina, for duty as Squadron Executive Officer in September 1991. There, Colonel Smith served as Commanding Officer of Marine Air Logistics Squadron-29 from February 1992 until June 1993.

Colonel Smith was assigned as Assistant Chief of Staff (ALD), 1st Marine Air Wing in August 1993 and was promoted to his present grade of Colonel in July 1994. He later assumed command of Marine Wing Support Group 17 on January 28, 1995.

Colonel Smith's awards include the Meritorious Service Medal (with one Gold Star), the Navy commendation Medal, the Navy Achievement Medal, the Meritorious Unit Commendation, the National Defense Service Medal (with one Bronze Star) and the Sea Service Deployment Ribbon (with three Bronze Stars).

During Colonel Smith's career, he and his family have made many sacrifices for our country. I would like to thank them all—Randall, his lovely wife Donna, and their four children, April, Sara, Derek and Brett—for their contributions to the Marine Corps and to our national security.

Mr. Speaker, Colonel Smith is a great credit to the United States Marine Corps and the country he has so faithfully and honorably served. As he prepares to depart for new challenges, I know that my colleagues on both sides of the aisle join me in wishing him every success, as well as fair winds and following seas. When we adjourn today's session, let us do so in honor of this great American.

TRIBUTE TO LIEUTENANT COLONEL DAPHNE D. SAHLIN, U.S. ARMY

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. HOUGHTON. Mr. Speaker, I rise to pay tribute today to an outstanding American at the close of her career as an officer in the U.S. Army.

On June 30, 1998, Lieutenant Colonel Daphne D. Sahlin retires after completing over 20 years of service to her nation and the U.S. Army. Daphne hails from Louisiana, and was graduated from Rice University with a degree in history. She came to the Army's officer corps from the ROTC program there. She later completed a master's degree in management.

Daphne's service includes tours of duty in Korea and Germany, as well as various state-side posts.

Throughout her career, Daphne has been a continuing inspiration to her superiors, peers and subordinates. She has typified and personified the dedication ethic that our Armed Forces aspire to attain. Daphne has stood as a role model of courage, competence and candor, leading both her soldiers and the Army into a new age. She has not only watched, but she has been in the midst of the change in the Army that allowed the role of women to expand and take on significant new meaning in today's force. Perhaps no other officer is better qualified to comment on the gender issues that are under discussion still today than Daphne Sahlin.

Her perspective is that of one who has made the ultimate contribution, having taken on a career in the Army when the climate was challenging and an expanded role for women was only a goal in the mind of the forward thinkers. But throughout over two decades, Daphne relentlessly pursued those very goals that legions of others could only hope to achieve later on. She held an impressive series of key jobs in the field Army, from platoon level up to the staff of the Secretary of the Army.

Daphne took on the tough jobs, serving in key military intelligence units of the Army, to include the famed XVIIIth Airborne Corps at Fort Bragg, North Carolina where she was required to participate in parachute operations. But this was no challenge for an officer of her caliber and stamina. She later went on to serve in the Pentagon in the top operations office in the most fast paced and demanding job in the Army. There, Daphne was a principal assistant to the Deputy Chief of Staff for Operations. Every item of interest and each piece of correspondence that was routed to the Army leadership for decision came across her desk. Her role was essential and she once again subordinated personal interests to those of the Army. After her noteworthy service in the Pentagon, she came to Capitol Hill to begin her service to the U.S. House of Representatives.

Many of my colleagues and their spouses and staff know Daphne well in her role in the Army's Liaison Office. From that posting, she has indeed made a difference and touched all our lives. Daphne has traveled across the globe with Congressional delegations in support of the House International Relations Committee, the Permanent Select Committee on Intelligence, and the National Security Committee, and most importantly to me, the U.S.-Canada Interparliamentary Group. Daphne has been to the most remote regions of the world. Whether the destination was Beijing, Pyongyang, Damascus or Sydney, Nova Scotia, Daphne provided the Members of this body the same superb assistance each and every time. She organized, planned and executed these flawless trips, despite any logistical challenges, and allowed each delegation to focus on the business at hand.

Mr. Speaker, Daphne really established the standard for all of her successors and we are grateful to her for such honorable service under such often difficult circumstances. As we honor her, we note that this institution and our country is better off for the major contributions she has made over a sustained period. We wish her all the best in her future endeavors as she enters civilian life.

CONGRATULATING THE LOS SURES SENIOR CENTER

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Ms. VELÁZQUEZ. Mr. Speaker, I would like to take this moment to offer my congratulations to the Los Sures Senior Center on its 10th Anniversary. My district is enriched by having such a remarkable institution serve the community.

Thanks to the exemplary leadership of Councilman Victor Robles, the elderly community of Los Sures in Williamsburg has a place dedicated and committed to them. The center succeeds in unifying different generations, so that our youth might benefit from the wisdom of their elders. It is also a place where people come together to exchange ideas and enjoy the company of their neighbors.

Furthermore, the Center ensures that much needed recreational and other support services are available to the elderly in our community. Many have referred to the Center as a sanctuary from the hectic pace of every day life. This remarkable place could not exist without the dedication and sacrifice of its staff. I would like to thank them for all of their hard work.

In closing, I ask my colleagues to join me in congratulating Councilman Victor L. Robles for his vision, perseverance and dedication to the senior community of Los Sures. Both myself and the community look forward to the next ten years.

HONORING BERNARD L. STEIN, WINNER OF THE 1998 PULITZER PRIZE FOR DISTINGUISHED EDITORIAL WRITING

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. ENGEL. Mr. Speaker, today I rise to honor a person whom I am proud to call a constituent and a personal friend. Mr. Bernard L. (Buddy) Stein, a journalist of uncommon merit and character, has recently been recognized by his peers in the media through his receipt of 1998 Pulitzer Prize for distinguished editorial writing. This great honor truly befits the accomplishments of Bernard Stein and his editorial expertise and skill.

Bernard's list of accomplishments is nearly as diverse and extraordinary as the man himself. Writing weekly editorials for the Riverdale Press, a publication widely known for its excellence in reporting, Bernard informs his readers on a variety of subjects of both national and local interest. His areas of special concern include such prudent matters as school overcrowding and the preservation and enhancement of the Riverdale community. Bernard is a man committed to the betterment of not only his community, but the rights of every person worldwide.

In 1989, the offices of the Riverdale Press were bombarded by arson; a fire set in reaction to Mr. Stein's highly controversial editorial defending the right to purchase and read Salman Rushdie's novel, *Satanic Verses*. Today, Mr. Stein continues his campaign for the preservation of those most sacred rights of free speech and freedom of the press. On the

anniversary of the aforementioned incident and the death sentence against Mr. Rushdie, a photograph of Bernard holding a banner supporting free speech and freedom of the press appears in the Riverdale Press.

This most recent recognition of Bernard's outstanding and distinctive journalistic talent, the Pulitzer Prize, reflects the author's unique ability to write with uncommon grace and almost lyrical composition, yet convey with a distinct and unparalleled intensity a most thoughtful and engaging editorial. Recognition for one's talents and achievements all too frequently goes unacknowledged. Yet, today we have an opportunity to celebrate a grand acknowledgement of a most distinguished member of the Riverdale and world community, Mr. Bernard Stein. I encourage my colleagues to join the people of Riverdale and the Bronx in acknowledging and congratulating Mr. Stein on his most exceptional honor, the 1998 Pulitzer Prize for distinguished editorial writing.

HONORING GEORGE A. PETERKIN, JR.

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. BENTSEN. Mr. Speaker, I rise to recognize George A. Peterkin, Jr., Chairman of the Board of Kirby Corporation, for his many outstanding contributions to the nation's marine industry and the public that it serves. On July 20, 1998, Kirby Corporation will honor Mr. Peterkin by dedicating its new building, the George A. Peterkin, Jr. Operations and Training Center, which is located near the confluence of San Jacinto River and the Houston Ship Channel in the 25th District.

During his long and distinguished career, Mr. Peterkin has inspired the men and women of Kirby Corporation and its predecessor, Dixie Carriers, Inc., to achieve the highest levels of safety and environmental excellence. As a result, Kirby Corporation is a recognized industry leader in safety performance. Each year, Kirby Corporation's rates for lost time injuries, recordable injuries and spills are among the lowest realized by towboat operators in the United States. In addition, each year Kirby Corporation has more vessels honored than any other operator through the Devlin Award program, a national program that recognizes the safe performance of vessel crews. In 1995, the United States Coast Guard recognized the company's accomplishments when it selected Kirby Corporation to receive the William M. Benkert Award for environmental excellence in the Large Company-Vessel Operator Category.

Mr. Peterkin's legacy regarding safety excellence has continued to grow as Kirby Corporation is called upon to share its expertise by industry organizations and government entities. For example, Kirby Corporation has played a leadership role on the National Steering Committee of the American Waterway Operators/USCG Safety Partnership since its inception in 1995. The charter of the Partnership is to strengthen the working relationship between the Coast Guard and the barge and towing industry and to provide a mechanism for cooperative AWO/USCG action to advance the two organizations' mutual goals of marine safety and environmental protection.

Further, Kirby corporation has played a key role in the development and implementation of

AWO's Responsible Carrier Program, which is designed to achieve improved safety performance by members of AWO and their towing service vendors. Thus, Kirby Corporation is playing a central role in the ongoing quest for safer and cleaner waterways for the good of the nation's public, marine industry personnel, and the environment.

Mr. Peterkin's contributions to the marine transportation industry also include innovations in marine vessel design and operations. For example, Mr. Peterkin spearheaded the introduction of the "air controller" design for towboat wheelhouses. This design provides pilots with an unobstructed, panoramic view from the wheelhouse and has helped to avoid countless accidents since it became an industry standard more than three decades ago. Mr. Peterkin also led the industry in advancing automated unmanned towboat engine rooms.

These innovations have helped to make barge transportation the nation's safest and lowest cost method for transporting bulk goods. The ultimate beneficiaries from these innovations are marine industry personnel who enjoy safer work environments and the public that pays lower transportation costs.

Mr. Peterkin has also been active in community service. For over 30 years, he has provided leadership on the Board of Trustees of Texas Children's Hospital, also located in the 25th District, serving as a board member from 1967-present, President 1978-1979, and Chairman of the Board, 1987-1991. He has been instrumental in guiding the development of this world renowned hospital.

Mr. Speaker, whatever he does, George Peterkin's intelligence, enthusiasm, and integrity serves him and all those he encounters well. He brings a tireless energy, an unflagging drive, and a passionate caring to each of his endeavors, wearing many hats along the way. His contributions to the nation's marine industry and the community are truly commendable.

INTRODUCTION OF THE DIGITAL JAMMING ACT OF 1998

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. MARKEY. Mr. Speaker, I rise to introduce the Digital Jamming Act of 1998. The growing incidents of "spamming," and "cramming," and "slamming" in our telecommunications arena represent an important series of consumer protection issues that need to be addressed by the Congress or by appropriate regulatory agencies. I am using the term "jamming" to describe all 3 consumer protection issues because they are all unscrupulous practices that either jam consumers' bills with unauthorized services or jam our nation's telecommunications networks with unwanted messages in the digital era.

These are, in fact, particularly thorny issues to address because there are multiple players involved in resolving these problems in the telecommunications industry, and in the Federal Government, and at the State level as well. It is hard to find someone these days who has not had first hand experience with one or all of these issues. When someone is "slammed" their telephone carrier is changed without proper authorization and it usually leads to higher bills for slammed customers and a big hassle in clearing everything up.

When someone is subjected to "cramming"—their telephone bill gets filled up with all sorts of new and unauthorized charges. And with the rise of the Internet, the growth of unsolicited electronic messages—or spamming—is becoming the daily, nuisance experience for countless people online and a burden on Internet service providers who often have their systems swamped with spamming traffic. Unfortunately, all three of these issues appear to be growing problems.

The issue of slamming was addressed in the Telecommunications Act of 1996 where unauthorized switches in carrier selection were prohibited and a liability provision for unauthorized charges included in Section 258 of the Communications Act. The FCC is currently in the process of developing rules to further implement that provision and protect the public. I want to encourage the Commission's efforts to crack down on this problem and look forward to the Commission completing any rule revisions in the near future. Moreover, "cramming" is increasingly a billing quandary for consumers across the country who are taken advantage of and I believe that consumers deserve protection from this rising telecommunications affliction.

Finally, the issue of spamming is quickly becoming the bane of many online surfers who log onto their computer only to find their mailbox stuffed with unsolicited electronic messages. Beyond the nuisance factor that massive spamming creates, it also engenders problems associated with the unsolicited sending of indecent material and online fraud perpetrated by a cadre of high tech hucksters who attempt to dupe people online into parting with their money. In addition, the millions of unsolicited e-mail messages clog up the networks of many online providers and this does a terrible disservice to other subscribers to such service and to online commerce generally.

The legislation I am introducing today seeks to help address the spamming issue by building upon work that the Congress performed a few years ago in addressing unsolicited telephone marketing and which is codified in Section 227 of the Communications Act. In that earlier legislation, Congress granted authority to the Commission and authorized, at the Commission's discretion, the creation of a "do-not-call" database for people who no longer wanted to receive unsolicited telemarketing at home. The Commission elected not to utilize this authority in its rulemaking at that time.

I believe it may be worth exploring however, the creation of "do-not-contact" databases for people who want to put a "no soliciting" sign in cyberspace and stop the flood of junk e-mail. This could be done at the Federal or State levels and technology has advanced to a point where this might be a cost-effective and efficient remedy.

The legislation I will introduce will also include provisions building upon Section 258 of the Act to help address slamming and cramming issues. I believe it may be worthwhile to expand liability provisions contained in Section 258 to permit double damages to be paid to consumers—in addition to compensating "slammed" carriers for lost business—as a deterrent to slammers. In addition, the legislation tasks the NTIA in the Commerce Department with the job of conducting an analysis into third-party verification clearinghouses. Because those authorizing switches in carrier selection have a financial interest in making switches, it may be useful to explore the fea-

sibility of giving the verification or authorization functions for switching carriers to a third party—either at the State or Federal levels. NTIA is asked to report back to the Congress on the feasibility and desirability of such a system.

Mr. Speaker, I look forward to working with my colleagues in the House Commerce Committee, Chairman BLILEY, Mr. DINGELL, Chairman TAUZIN, Mr. GORDON, and others on addressing these issues, as well as my other colleagues in the House who have expressed concern on these matters.

MARTZ GROUP PRAISED

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to the Martz Group, the nation's largest, privately-held, non-subsidized bus company. The Martz Group is headquartered in my district in Wilkes-Barre, Pennsylvania and this year is celebrating its 90th Anniversary. It has grown from owning a single bus to owning 400 motor vehicles and employing 700 people worldwide.

The Martz Group provides vital services for my constituents. Last month alone, an estimated 2,500 people a day traveled on Martz buses from New York City to Wilkes-Barre, the most populous city in Pennsylvania's Eleventh Congressional District. Both the company and its President/CEO, Frank M. Henry, are very highly regarded in Northeastern Pennsylvania. I speak for many in the Wyoming Valley when I say that we are looking forward to another generation of fine leadership as Scott Henry increases his role in the company.

Mr. Speaker, the history of the Martz Group has been adeptly summarized in a June 14 article by Mary Ondrako for the *Wilkes-Barre Citizens' Voice*. I wish to enter this article in the CONGRESSIONAL RECORD so that my colleagues may be aware of the distinguished history of this company. I wish the Martz Group a happy anniversary and continued success in the future.

[From the *Citizens' Voice*, June 14, 1998]

MARTZ BUSES STILL ROLLIN' ALONG 90 YEARS
LATER

(By Mary Ondrako)

Ninety years and still rolling along is what the Martz Group is celebrating this year.

Founded in 1908 by Frank Martz Sr., the business has grown from a single bus to a transportation empire of nine companies featuring about 400 motor vehicles and 700 employees worldwide.

The largest, privately held, non-subsidized bus company is now under management by Frank Henry and his son, Scott E. Henry. Scott Henry represents the fourth generation of the Martz family. Headquarters are on Old River Road, Wilkes-Barre.

Frank Martz Sr., whom Scott Henry described as an "innovator," back in the 1900s, recognized a need to provide transportation services for people, who like himself, often had to walk to their places of employment despite chilly winters or other inclement weather conditions.

"My great-great grandfather's father ran a company store and he used to have to deliver

goods from the company store to different places around town and he would walk," Scott Henry explained. "He got tired of walking so he decided to get a truck and he nailed a flat platform in the back of his truck and saw he could give miners a ride while he was delivering his goods."

According to Martz Group, the vehicle he designed, was "rustic" by today's standards, but was heralded "a chariot" particularly by mining families in Wyoming Valley area at that time.

In 1912, Frank Martz Sr., incorporated the White Transit Company and added four coaches. For a nickel, an individual could ride the coach to get from 'Point A' to 'Point B.' White Transit Company provided public transportation for Wilkes-Barre area until Luzerne County Transportation Authority took over the service, Scott Henry noted.

Over the years, Martz coach service was expanded throughout Pennsylvania, New York, New Jersey, Ohio and Illinois.

Also, in 1926, a four- and six-passenger airplane service was started by Frank Martz Sr. to shuttle corporate clients to and from Wilkes-Barre, Newark, Buffalo and Cleveland. This service ended in 1933.

Frank Martz Coach Co. was incorporated in 1927 and this led to more buses being added and intracity routes. With this, an individual could hop on a bus and travel to New York City, Philadelphia, and upstate New York.

According to Martz Group, the company was the first to feature an on-board host or hostess. Frank Martz Sr. also is considered a pioneer in express service, according to Martz Group. He implemented the service to appease prospective clients who were disappointed by frequent bus stops.

In 1936, National Trailways Bus System was established which consisted of a group of independent carriers providing transportation and ticketing coordination to help companies compete against Greyhound. According to Martz Group, Martz is the sole original member of the organization of 26 carriers.

During the Depression of 1930s, Martz scaled back coach services. Frank Martz Sr. introduced "club coaches" to clients to help stay the business. Club coaches offered amenities such as overstuffed chairs, writing desks, radios, a host or hostess and air conditioning.

At the time of his death in 1936, Frank Martz Sr. was operating a transportation company that extended along the Northeast coast and featured 150 coaches.

His son, Frank Martz Jr. then took over the company, rebuilding Martz after the Depression.

After Frank Martz Jr. died in a helicopter accident in 1964, Frank Henry took over the Martz reins. He serves as president and CEO of Martz Group; Scott Henry is president of Martz Trailways.

The company was renamed "Martz Group" and has facilities and services concentrated on the East Coast, from Wilkes-Barre, including Martz Towers on Public Square, to New York and Florida.

Businesses operating under the Martz Group banner are Martz Trailways, Wilkes-Barre; Martz Lines/Gray Line, Philadelphia; Martz Travel, Wilkes-Barre; Tourtime, Virginia; Gold Line/Gray Line, Washington, D.C.; Franklin Motorcoach, Virginia; National Coach Works, Virginia; First Class Coach Co. and Gulf Coast/Gray Line, both of Florida.

"Basically, we'll do whatever anybody wants to enjoy themselves in the transportation end of it," Scott Henry said.

He noted excursions offered by Martz include Penn State football games, fall foliage tours, Belmont Stakes and Preakness,

amusement parks including Great Adventure, New Jersey, and Hershey Park, and NASCAR events. Martz also transported passengers to Olympic events held in Atlanta, GA and Montreal, Canada, according to Scott Henry.

Charters can be arranged for up to 53 people. For those who desire to travel in the lap of luxury, Martz offers its "Executive" line buses. The vehicles are equipped with a lounge, card tables, sofas, microwaves and coffee makers, televisions and seat up to 24 people, according to Scott Henry. A host or hostess is also included in Executive packages.

"I view our business as we are in the entertainment business," Scott Henry suggested. "We will take people so they could go and have a good time."

"If you say you want to go to Pittsburgh, we will get you tickets for the football game, baseball game. . . . You tell us how many people you have, an idea of what you want to do and we'll find something for you," he continued.

According to Scott Henry, the business is constantly growing and adding new coaches, services and upgrading equipment to transport clients to almost any point in the world.

Notably upgrades in equipment have helped grow its customer base, Scott Henry noted.

For example, in the 1950s, Martz was the second company nationwide to implement two-way radios in its coaches. This allowed for speed of service in weather bulletins and assisted communication among passengers.

And it was one of the first to provide television to clients.

"We were the first in the area and one of the first in the country to do it and now it's standard where we buy equipment with televisions on it," Scott Henry said of the founder's foresight.

The company's commitment to service was noted early in the business's history, Scott Henry added, explaining that Frank Martz Sr. would situate a block of ice near a ventilation system as a primitive air-conditioning system for coaches.

A recent upgrade, Martz features four handicap accessible coaches, one of which is permanently sited in Wilkes-Barre, Scott Henry said.

And Martz buses can be seen rolling down almost any highway and bi-way today as a testament of its success.

"In Wilkes-Barre alone, for the month of May, we had 73,000 passengers," Scott Henry said of just one of its daily line services from Wilkes-Barre to New York City. "That's 2,500 people a day."

More recently, Martz is offering "I Ride Trolley" services in Disneyworld, Florida, and bi-lingual tours in Washington, D.C. Charters feature head sets for all passengers in up to five different languages, Scott Henry explained.

As far as look to the horizon, Scott Henry noted the company will remain committed to its longstanding motto of "Safe, courteous service" which has been the case since Frank Martz Sr. began the business 90 years ago.

According to Scott Henry, Martz, for now, plans to build up its holdings.

"We plan to continue to concentrate on the Eastern region," Scott Henry stated.

The company's main competition is from airlines, rental cars and also people who choose to travel with their own wheels.

To that end, Martz seeks to safeguard and improve on its niche in the comfort zone and move closer to becoming a one-stop service.

He explained persons chartering trips to New York City can obtain event tickets, arrange for an early night dinner before catch-

ing the latest theatrical production and taking in a few city sights and maybe catch a flick on the way home.

HONORING MIDDLE SCHOOL 141

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. ENGEL. Mr. Speaker, Middle School 141 is celebrating its 40th anniversary of teaching the young people of Bronx County. In that time thousands of students have learned in a benign, education friendly environment, taught by caring teachers and principals. From the beginning the school administration insisted on the involvement of parents and it is most likely this which gave the school its ability to reach its students.

The education of our children is perhaps society's most important function. Middle School 141 has fulfilled this obligation for these 40 years.

MS141 opened with 600 students, in grades five through eight and two kindergarten classes. Today the school's enrollment is 1,500. Our future is written in their faces. I proudly congratulate the graduates, students and faculty for their glorious contribution to our society.

INTRODUCTION OF THE RETIREMENT ACCOUNTABILITY SECURITY PORTABILITY ACT OF 1998

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. NEAL of Massachusetts. Mr. Speaker, today Congressman GEJDENSON and I are introducing comprehensive pension legislation which focuses on the four major themes of accessibility, security, portability, and equity for women. Almost 51 million American workers have no pension coverage. In my state of Massachusetts, only 29 percent of employers with fewer than 100 employees sponsor pension plans. Small businesses with fewer than 100 employees make up approximately 36 percent of the workforce in Massachusetts.

The Retirement Accountability Security Portability Act of 1998 will make it easier for employers to offer pensions and for employees to keep their pensions when they change jobs. Now is the time for us to focus on pensions. We are beginning to face what has been commonly referred to as the "graying of America." Within thirty years, one out of every five Americans will be over age sixty-five. In thirteen years, the baby boomers will begin turning sixty-five. The baby boomer generation consists of 76 million members and will result in the Social Security beneficiaries doubling by the year 2040.

Pensions are an integral part of retirement. Retirement can be compared to a three-legged stool and the legs of the stool are savings, pensions and Social Security. Forty percent of retirement income comes from Social Security, nineteen percent comes from pensions, and the remaining comes from private savings. Last year, we enacted the Taxpayer

Relief Act which created the Roth IRA which has made IRAs available to millions of Americans. The response has been overwhelming. The Taxpayer Relief Act has jump-started personal savings and now we need to do the same for pensions.

Our society changed greatly over the last few decades and these changes have affected the workplace. It is now more common to change jobs than stay with one firm for an entire career. This makes it extremely important for us to address pension portability. Portability allows the employee to transfer the benefits of their pension when they change jobs. Changing jobs should not drastically affect one's pension.

Five million people with pensions change jobs every year. One-third of employees leave their job before reaching five years of employment. Under current law, an employee does not receive the employer's contribution until he or she has been employed for five years. This legislation will reduce the vesting period from five years to three years for employer contributions to defined contribution plans or allows benefits to become vested in increments of 20 percent for each year beginning after two years of service, with full vesting after the employee has completed six years of service.

This legislation allows employees of non-profit entities and public schools to take their retirement savings when they change jobs and put these savings into the retirement plan of their new for-profit or state or local government employer when they switch jobs. Participants of 457 defined contribution plans would be permitted to rollover their account balance into an IRA. The current 60-day rollover period is extended in cases of natural disaster and military service. Individuals faced with disaster will be able to avoid substantial tax penalties.

This legislation creates a new simplified tax-favored pension plan entitled Secure Money Annuity or Retirement Trust Plan, commonly referred to as the SMART Plan. These plans would provide participants with a minimum guaranteed benefit at retirement with Pension Benefit Guaranty Corporation insurance. Employees would immediately vest in the benefit contributions made and earnings that accrue under the plan. Funding would be provided either through an annuity or a trust. This type of funding allows SMART plans to be portable upon a job change. The SMART plan is a simplified defined benefit plan which contains the best attribute of a defined contribution plan which is portability.

I urge my colleagues to join us in protecting pensions for American workers.

THE RETIREMENT ACCESSIBILITY,
SECURITY AND PORTABILITY
ACT OF 1998

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. GEJDENSON. Mr. Speaker, today, joined by dozens of our colleagues, I am proud to introduce the Retirement Accessibility, Security and Portability Act of 1998, comprehensive pension legislation which will increase access to our nation's private pension system, enhance the protection and security of our nation's retirement funds, boost options for portability within the system and restore a degree of gender equity to the system.

I have been working on this issue for a number of years now, and have been dedi-

cated to it because of a number of factors. First, we are in a new world today. Today's worker does not go through life with one job. They move around a lot. They go from job to job, taking advantage of new training and opportunities. While this is great for economy, it also means that today's workers are not getting the kind of retirement benefits our parents had. Gone are the days when a person would work for one company, retire and collect one check a month.

I have also been concerned because 51 million Americans, half the American workforce, have no pension coverage. Of that, 32 million work in small businesses. This is a staggering fact, and we must do something to help people save more, particularly our nation's women and small business employees.

Women are particularly disadvantaged by our pension system. 12 million women in this country work in firms that do not offer pensions. Two thirds of today's working women are concentrated in industries that have the lowest pension coverage. Something must be done to improve this.

Once our nation's families are saving, it is essential that we protect those savings. Mr. Speaker, as many of our colleagues know, in the town of Westbrook in my eastern Connecticut district, about 80 employees working for a firm called Emergi-Lite began 1998 by finding out that their pension money was gone. They had been defrauded out of their money by a swindler. That swindler recently pleaded guilty and will be spending a few years in jail. Our pension system needs to tighten up so that tragedies like this do not happen again.

As I said earlier, the Retirement Accessibility, Security and Portability Act of 1998 is comprehensive pension reform legislation that seeks to solve some of these problems.

Since accessibility is a problem, particularly in small businesses, I propose a tax credit to cover a portion of the start-up and administrative costs of starting a pension plan. Many small employers at home in Connecticut have told me that the costs of starting a plan keep them from doing so. Since savings are a national priority, we should make it easier for small employers to help their employees to save.

In this legislation I also propose to establish a simple pension plan that guarantees monthly payments for life. The gentleman from Massachusetts, Mr. Neal, working with the President, brought this idea to my attention. In this bill we establish the SMART, or Secure Money Annuity or Retirement Trust. This is a new, simple kind of annuity plan that will bring people into the retirement savings system in a way that guarantees benefits for as long as a retiree lives. This is something that will benefit millions of Americans.

We also are introducing in this bill new security protections. When this bill becomes law, participants in a plan, either defined benefit or defined contribution, will begin receiving statements of how their investments are doing. If the employees can see their money grow, they will be more in tune to when there are problems.

Finally Mr. Speaker, we make a number of changes in this bill to restore a sense of gender equity to our retirement savings system. While the changes outlined above will benefit all workers, they will benefit women in particular, since they are more likely to lack retirement coverage. We have in this bill a series of improvements, however, for women in par-

ticular. For example, we have new safeguards to ensure that pension benefits are not overlooked when a couple divorces. We add a new option for federal workers to increase benefits for women who outlive their husbands. We add a new hotline targeted at women so they have somewhere to turn when pension questions arise.

Mr. Speaker, I want to thank so many of my colleagues and their staffs for the work they have done in putting this bill together. In particular, I would like to thank Leader GEPHARDT, Mr. NEAL, Mr. RANGEL, Senator DASCHLE, Mr. POMEROY, Mrs. KENNELLY, Senator MOSELEY-BRAUN, Mr. ANDREWS, Mr. JEFFERSON, Mr. PAYNE, Ms. STABENOW, Mr. PRICE, Mr. MCNULTY, and Mr. MCDERMOTT. Their work, and the work of their staff, has been of enormous help in bringing this legislation forward.

It is my hope, Mr. Speaker, that the Leadership of this House, and the Chairmen of the Committees of jurisdiction bring this bill forward for consideration. The issue of Retirement Security is an incredibly important one to our nation's working families. There is no more important effort our leaders can make.

Mr. Speaker, I submit a detailed, section by section summary of the bill for the RECORD.

THE RETIREMENT ACCESSIBILITY, SECURITY
AND PORTABILITY ACT OF 1998

TITLE I—EXPANDING PENSION COVERAGE AND
ACCESS

Increases Coverage through Access to Payroll Deduction for Retirement Savings.—An employee would be allowed to make contributions of up to \$2,000 tax-free to his or her IRA through automatic payroll deductions from wages. This would be in lieu of taking the deduction at the end of the year on the individual's tax return. The immediate tax benefit received by the individual is more beneficial than the deduction taken many months later. In addition, contributions of small amounts would be more appealing to low-income workers than a one-time contribution of \$2,000.

Increases Coverage through a Nonrefundable Tax Credit For IRA Contributions made by Low-Income Workers.—The maximum credit of \$450 per year would be more beneficial to low-income workers than the \$2,000 deduction because many of these workers are in the 15-percent tax bracket. The benefit would be delivered to taxpayers on a sliding scale basis. Thus, the lowest income workers, who need to save some minimum amount for their retirement, would be provided with the greatest tax benefit under the credit.

Creates Flexibility by Allowing Penalty-Free IRA Withdrawals in Cases of Long-Term Unemployment. An employee would be permitted to make penalty-free (but not tax-free) withdrawals from an employer sponsored plan such as 401(k) or 403(b), as well as an IRA, in cases of unemployment that exceeds the receipt of benefits for 12 consecutive weeks. (§ 132, HR 1130)

Enhances Accountability by Requiring that Pension Plan Participants be Given Periodic Benefit Statements. Pension plans would be required to provide plan participants and beneficiaries with benefit statements reflecting the balance and activity of the participants' or beneficiaries' accounts at least annually for defined contribution plans (such as 401(k)) and at least once every three (3) years for defined benefit plans. This is in lieu of providing benefit statements only upon request.

Expands and Increases Coverage through a New Simplified Tax-Favored Defined Benefit Pension Plan. The new simplified defined benefit plan, known as Secure Money Annuity or Retirement Trust (SMART), would provide small employers with the option of offering retirement benefits through a defined benefit plan while at the same time providing employees with the attractive feature of full portability. SMART would provide each participant with a minimum guaranteed benefit upon retirement. The participant would be poised to receive a larger retirement benefit than the guaranteed amount if the investment on the plan assets out-perform the presumed rate of return. Benefits would be guaranteed by the Pension Benefit Guaranty Corporation (PBGC).

Expands Coverage for Non-highly Compensated Employees through Modification to 401(k) Safe Harbors. An employer who chooses to offer a 401(k) plan under certain safe harbors that are provided for these types of plans would be required to make an employer minimum contribution of one percent of compensation for each eligible employee. This ensures a minimum benefit for each eligible plan participant. The minimum employer contribution would be made without any reference to whether the employee made an elective deferral and would be in addition to any employer matching contribution.

Improves the Nondiscrimination Rules for 401(k) Plans (See above)

Increases Benefits by Requiring Sponsors of the SIMPLE Plan to Make a Minimum Contribution. Employers who offer the new simplified 401(k) plan (SIMPLE) would be required to make a minimum contribution of one percent of each eligible employee's compensation on behalf of each eligible participant without reference to whether such participant makes an elective deferral.

Enhances Benefits through Simplifying the Definition of Highly Compensated Employee. The definition of a highly compensated employee would be determined under a two-pronged test rather than the current three-pronged test. Thus, a highly compensated employee would be determined either by compensation or ownership.

Increases Benefits by Waiving Certain Section 415 Limits for Multiemployer Plans. Benefits accrued under a multi-employer plan would be paid to the plan participant (or beneficiary) without reference to the 100-percent-of-compensation limit set forth under section 415. In addition, certain survivor and disability benefits would be exempted from adjustments for early commencement and for participation and service of less than 10 years.

Expands Access by Exempting Mirror Plans From Section 457 Limits. The amount of savings employees of state and local governments and not-for-profits entities could save through nonqualified deferred compensation plans would be increased.

Expands Coverage through Immediate Participation in the Thrift Savings Plan. Federal employees would be allowed to choose whether they want to participate in the Thrift Savings Plan immediately upon beginning employment. This will enable these employees to get into the habit of saving for retirement early in their employment and give them valuable tax benefits that would otherwise be lost during the current 6- to 12-month required waiting period.

Enhances the Stability of Funded Benefits by Simplifying the Full Funding Limitation for Multiemployer Plans. The current limit on deductible contributions, which is based on a specified percentage of current liability, would be repealed with respect to multiemployer plans. This will permit deductible contributions in the amount by which the accrued liability of the plan exceeds the value of the plan assets.

Simplifies Certain Vesting Requirements for Multi-employer Plans. The current partial termination rules, which require that participants become 100-percent vested in their accrued benefits (to the extent funded) upon a partial termination of a qualified retirement plan, would be repealed.

Enhances the Stability of Funded Benefits by Repealing the 150-Percent-of-Current Liability Funding Limit. A defined benefit plan is considered to be fully funded if the plan has reached the following limitation—the lesser of (1) 150 percent of current liability or (2) the accrued liability (including normal cost) under the plan. Contributions made to a plan that has reached its full funding limit are not deductible and the employer could be subject to an excise tax. A plan at 150 percent of current liability may still have excess accrued liabilities. The 150-percent-of-current liability funding limit would be repealed. This also would permit employers to fund-up their plans in good years in planning for the bad years.

Expands Coverage through a Tax Credit for Start-Up Expenses of Newly Established Pension Plans. Small employers who establish certain new pension plans would be allowed to claim a credit for the first three years of maintaining the plan with respect to administrative and educational expenses of the plan. The credit would be up to 50 percent of permissible expenses within certain limitations. The types of pension plans that would be eligible for the credit would be any new defined benefit or defined contribution plan, including 401(k), SIMPLE, or payroll deduction IRA arrangement.

TITLE II—ENHANCING PENSION SECURITY AND ACCOUNTABILITY

Enhances Accountability of Benefits by Improving Disclosure Requirements With Respect to Plan Participants and Beneficiaries. Sponsors of small 401(k) plans (less than 100 participants) would be required to furnish to participants and beneficiaries annual investment reports detailing information the Secretary of Labor determines to be pertinent to such individuals. Also, such reports would be required to be provided to participants of a defined benefit plan once every three (3) years. These changes also would apply for purposes of multi-employer plans.

Enhances Accountability of Benefits by Requiring Certain Information to be given to Investment Managers of 401(k) plans. If a sponsor of a 401(k) plan contracts the investment and management of the plan to another person, the plan sponsor is required to provide such person with sufficient information that would permit the investment manager to separately account for each participant's accrued benefits even if the contract does not require such separate accounts.

Requires a Study on Collectibles. The Secretary of Labor in consultation with the Secretary of the Treasury is requested to conduct a study on the extent of investment of pension plans in collectibles and whether such investments present a risk to the pension security of such plans. The report would be due no later than twelve months (12) after the enactment of the bill.

Enhances the Security of Benefits by Prohibiting Credit Card Loans From or Against Qualified Employer Plans. A qualified plan would be prohibited from making any loan to a plan participant or beneficiary through the use of a credit card or any other intermediary.

Expands Guaranteed Multi-employer Plan Benefits. The maximum level of annual benefits guaranteed to each employee under a multi-employer plan would be increased from \$5,850 (set in 1980) to \$12,870.

Simplifies Certain Rules Governing the Department of Labor's Authority to Assess Civil Monetary Penalties on Prohibited Transactions.

Certain conforming changes would be made to parallel a similar excise tax that applies to certain pension plans under the Internal Revenue Code.

Simplifies Certain Rules Applicable to Substantial-Owner Rules and Plan Terminations. The more complex rules currently used to determine PBGC guaranteed benefits for 10-percent owners of a business would be repealed. Such benefits would be calculated under the same rules that apply to all other plan participants.

Enhances Benefit Security by Requiring a Report on Pension Reversions. The Secretary of Labor, as Chair of the PBGC, would be required to report annually to the President and Congress regarding pension reversions.

Enhances Benefits Security by Repealing the Limited Scope Audit for Certain Pension Plans. Plan assets that are held by certain regulated financial institutions would be required to be included within the accountant's audit of the plan. This provision is not meant to require that the plan's accountant duplicate the work of the independent accountant who audits the financial institution's books and records. It merely requires the plan's accountant to use the Report on the Processing of Transactions Service Organization under American Institute of Certified Public Accountants Statement on Auditing Standards No. 70.

Enhances Benefits Security by Creating Reporting and Enforcement Requirements for Employee Benefit Plans. The plan administrator would be required to notify the Secretary of Labor within five (5) business days whenever the administrator has determined that there is evidence that an irregularity may have occurred with respect to the plan, or has received notice from the accountant that the accountant has similarly determined that there is evidence that an irregularity may have occurred. Also, the administrator would also be required to furnish a copy of such notification to the accountant engaged to audit the plan's financial statements.

Enhances Benefit Security through Additional Requirements for Qualified Public Accountants. The ERISA definition of "qualified public accountant" would be modified to include regulatory requirements and qualifications that the Secretary deems necessary to ensure the quality of plan audits.

Requires Inspector General study to be conducted by Department of Labor focusing on the need for regulatory standards and procedures to authorize the Secretary of Labor to prohibit persons from serving as qualified accountants.

Enhances Benefit Security by Increasing the Excise Tax on Plan Reversions. Under current law, corporations with defined benefit plans that are actuarially over-funded may remove, without a tax penalty, only certain excess assets needed to fund retiree health benefits within prescribed limitations or to establish an employee stock ownership plan. Termination of a plan without establishing a new plan, or removal of assets for any other reason, is subject to a maximum excise tax of 50-percent plus the normal corporate tax that would otherwise apply. The maximum excise tax would be increased to 65-percent plus the normal corporate tax that would otherwise apply.

TITLE III—IMPROVING PORTABILITY OF PENSION BENEFITS

Expands Coverage through Faster Vesting of Employer's Matching Contributions to Defined Contribution Plans. The plan participant would be fully vested after completing three (3) years of service (cliff vesting) or six (6) years of service (graded vesting). Under cliff vesting no part of the benefit vests to the participant until the participant has completed at least three years of service. Under graded vesting, the benefit is vested to the

participant in 20-percent increments beginning after the participant has completed two (2) years of service. Current law provides for five-year cliff vesting and seven-year graded vesting.

Enhances Portability of Benefits under 410 (k) plans. Severance from employment would be a permissible event for the plan to make a distribution of the account balance to each plan participant who may exercise his or her option to roll over the balance to another plan or an IRA.

Enhances Portability of Benefits Between Defined Contribution Plans. Transfers of account balances held in defined contribution plans would be permitted to be transferred to another defined contribution plan without requiring complete replication of distribution options. Such transfers would be permitted only where the participant knowingly and voluntarily elects the transfer and any applicable spousal consent rights were respected prior to the transfer.

Enhances Portability of Benefits by Expanding PBGC's Missing Participants Program. The PBGC's missing participants program would be extended to defined contribution plans such as a 401(k). The PBGC would act as a clearing house for terminated plans of employers who have moved, changed names, or gone out of business. This would enable participants of those plans to receive their pension benefits under the plan.

Enhances Portability of Benefits Held by Certain Employees of Non-Profit Entities and Public School Systems. Employees of certain employers who participate in a 403(b) plan would be permitted to roll their account balance into the new for-profit employer-sponsored plan when they change employment.

Enhances Portability of Benefits held by Participants of 457 Deferred Compensation Plans. Employees of certain non-profit entities and/or state/local governments who participate in a section 457 plan would be permitted to roll their account balance (to the extent funded) to and IRA upon termination of employment.

Enhances the Portability of Benefits through modifying the 60-Day Rollover Period in Certain Cases. In cases of natural disaster and military service the 60-day rollover period would be extended to provide relief against substantial tax penalties that would otherwise result from missing the 60-day rollover deadline.

Expands Coverage and Enhances Portability through the Purchase of Certain Service Credits. Employees of state and local governments, especially teachers who often move between states and school districts in the course of their careers, would be permitted to use funds from their 403(b) or 457 defined contribution plans to purchase service credits for qualification of full benefits under a defined benefit plan.

TITLE IV—COMPREHENSIVE WOMEN'S PENSION PROTECTION

Enhances Certain Government Pension Benefits. Modifies benefits offset for certain surviving spouses who are retired government workers by reducing only two-thirds (2/3) of their combined Social Security spousal benefit that exceeds \$1,200 a month. This current offset is a two-thirds reduction of their total monthly government pension benefit.

Enhances Pension Benefits for Many Plan Participants through Repeal of Social Security Integration by Year 2004. Qualified pension plans which integrate the plan benefits with Social Security benefits would be required to adopt the limited integration rules included in the Tax Reform Act of 1986 with respect to benefits attributable to plan years prior to 1988. In addition, integration would be repealed completely for benefits accrued for plan years beginning in the year 2004. Bene-

fits under SEP (Simplified Employee Pension) plans could not be integrated.

Enhances Benefit Security for Benefits Under a Qualified Benefit Plan Upon Divorce. The non-participating spouse would be entitled to an automatic share of the pension benefits, except where such benefits are protected by a valid and enforceable agreement which constitutes a part of the equitable division of property pursuant to the divorce. The participating spouse would be required to notify the plan of divorce proceedings that have been undertaken. The provision would apply in cases of couples who have been married for five years or more.

Enhances Benefits of Certain Spouses With Respect to Railroad Retirement. The requirement that a former husband must have started collecting his own railroad retirement benefits in order for the former spouse to receive his or her benefits pursuant to an annuity would be repealed.

Enhances Tier II Railroad Retirement Benefits to Surviving Spouses After Divorce. Payment of benefits to a surviving spouse pursuant to a divorce agreement, annulment, legal separation, or any other Court approved termination of the marriage would not be terminated upon the death of the participating spouse.

Enhances Benefits of Surviving Spouses of Certain Civil Servants. Surviving spouses (and former spouses if awarded pursuant to divorce) of employees who died while eligible for a deferred annuity under the Civil Service Retirement System (CSRS) would be allowed to elect to receive either (1) 55 percent of the former employee's deferred annuity, commencing when the employee's deferred annuity would have commenced had the employee lived; (2) the actuarial equivalent of the amount determined under (1) above, but commencing at the time of the former employee's death; or (3) a refund of the former employee's retirement contributions.

Enhances Benefits for Former Spouses of Federal Employees. Courts would be authorized to require the ex-husband to name his former wife as beneficiary under the pension plan of all or a portion of any refunded contributions.

Enhances the Security of Benefits of Certain Spouses of Plan Participants. The participating spouse's plan would be required to provide the participant's spouse with a copy of the explanation of survivor benefits and options under the plan in the same manner as provided to the plan participant.

Enhances Certain Spousal Benefits with Respect to Joint and Survivor Annuities. Modifies the current survivor annuity requirements to provide that the plan participant may elect to have the benefit paid in the form of a qualified joint and two-thirds (2/3) survivor annuity.

Enhances Security of Spousal benefits Under all Defined Contribution Plans. All defined contribution plans would be required to offer the option of a joint and survivor annuity.

Enhances Spousal Benefits Under 401(k) Plans. The spousal consent requirement that applies to defined benefit plans would be extended to defined contribution plans to prevent the participants from draining all the benefits from the plan to the detriment of the non-participating spouse.

Expands and Enhances the Benefits of Participants Who Utilize Leave Under the Family and Medical Leave Act. Hours for leave taken under the Family and Medical Leave Act would be credited under the employee's pension plan for purposes of participating in the plan and vesting of the participant's benefits under the plan.

Enhances Pension Benefits for Plan Participants With an Emphasis on Serving Women. A toll-free hotline would be established by the Department of Labor to serve as a resource

for women on pension issues; a source of referrals for the caller to the appropriate agencies; and a source for applicable printed materials.

HONORING RIVERDALE ROTARY CLUB

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. ENGEL. Mr. Speaker, the Rotary Club of Riverdale is celebrating its tenth anniversary and in that relatively short time this fine group has reached around the world to help people.

Rotary's motto is Service Above Self and its object is to encourage and foster the idea of service. The Riverdale Rotary Club is an exemplar of that motto and ideal.

The Riverdale Rotary has made itself a part of the community by contributing to the community. We may say that its ideal is charity, the love of giving to others.

Among its many activities are annual community awards, sponsoring the first annual Riverfest Music Festival, giving annual awards to area high schools, participating in the arthritis Foundation Mini-Grand Prix, contributions to the Rotary Foundation for Ambassadorial Scholarship for postgraduate study, contributions to the Riverdale Mental Health Association, the Bronx Arts Ensemble, the Bronx Municipal Hospital and Riverdale Neighborhood House.

The generosity of club members reaches across the hemispheres to Kenya, where Riverdale Rotary sponsors two scholarships and contributes to a school library, and Ethiopia, where the club president Gilda Chirafisi travelled to join with Rotarians from Addis Ababa to inoculate hundreds of children against childhood disease.

The Riverdale Rotary Club is an essential part of the community. But what marks it apart is its essential spirit of giving. I join the community in celebrating the tenth anniversary of the Rotary Club of Riverdale and look forward to celebrating many more anniversaries with them.

IN MEMORY OF MRS. MAXINE SHORE

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Ms. KAPTUR. Mr. Speaker, it is with sadness yet also gratitude, that I enter in this RECORD the life of Mrs. Maxine Shore, an American of enormous talent and creativity whose 86 years of life contributed to the enrichment of America and our literary heritage. Her life of continuous learning and perseverance throughout holds an example for all who knew her, and all who will enjoy her writings for generations to come. Our deepest sympathies are extended to her son, Steven, her many friends, and associates.

IN REMEMBRANCE: A BIO OF MAXINE SHORE
AUTHOR AND TEACHER

Maxine Shore, a prolific author and teacher, died June 2, 1998, at her home in Carmel,

CA. She was 86. She received her B.A. from McAllister College in Minnesota, quickly moving into writing and publishing after college.

Mrs. Shore, believed that everyone has in-born creativity which she encouraged in her students, who successfully published award winning books. At the time of her death she was still teaching classes and editing five books a month.

One book, *The Captive Princess* which was authored by Shore was set in the first century in England and told the story about the first Christian princess of England. The book went into seven printings and was chosen by two book clubs.

What made Mrs. Shore stand out from other creative writing teachers was her dedication to the creativity of the individual and her teaching methods of encouraging students to never give up.

Her career spanned 75 years with Mrs. Shore submitting her first article to a Minneapolis paper at the age of 11. She began writing her first book at the age of 12. Throughout her career she was an editor at Harper's and a member of the prestigious writing group along with Dorothy Parker at the Algonquin Table in New York. She authored hundreds of short stories, serials and articles for national magazines, as well as book reviews and radio scripts. Shore also authored plays for youth.

After leaving New York and Minnesota, Mrs. Shore moved to California with her son Steven. She continued to publish books, and with her writing and interviewing skills, quickly became involved with the stars in the Hollywood community.

Hoping to give her son a better education and home environment, Mrs. Shore moved to Carmel when Steven was a teenager. At the time of her move Shore was already an author of all kinds of fiction, non-fiction and plays and poems. She quickly became an established author and teacher for the Carmel community readily sharing her knowledge of the publishing business and her experience as a writer with her students. Maxine Shore had much to share. A partial listing of books she authored or co-authored in addition to the *Captive Princess* are: *Shipwreck Island*, an adventure story for boys which was based on the 19th century diary of Alfred Glendenning who was shipwrecked at the tip of Cape Horn; a biography, *Hero of Darien*; a biography, *Knight of the Wilderness*; a historical book for boys, *The Slave Who Dreamed*; she also ghost-wrote two other published books; and *Biography of Balboa*.

Mrs. Shore co-authored, *The Destiny Stone*, the story of the Stone of Scone with her son Steven. She just completed a book in May on creative writing.

Mrs. Shore's students have published over 50 books as well as articles, short stories and poems. One student, Mary Ann Taylor also had a serial in *Good Housekeeping*.

Her son Steven, plans as a fitting tribute to Mrs. Shore and her long career to publish poems and books not yet in print.

gulfed in fire. After reporting the fire, he ran to the door of the house and heard an elderly woman's cry for help. Without concern for his own life he entered the burning house, located and carried the woman to safety. Due to his selfless actions, the woman's life was saved.

Mr. Baker is truly a hero—even though he refuses to acknowledge that he showed a great deal of bravery in his heroic actions. It was without concern for his own well being that Mr. Baker heroically responded to a desperate call for help and rescued a fellow citizen.

In response to being called a hero he humbly said "I don't classify myself as a hero, just as a good American. I would hope someone would do the same for me if I needed help. I'm a Christian and I did it for that reason. God is my motivation. I'm just glad I could save her." This demonstrates his unselfishness and commitment to his fellow Americans. It is this type of bravery and courage that helped found America. Leon Baker is an example of what is so great about America. I salute him for his heroic actions, bravery and genuine care for his fellow citizens.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

SPEECH OF

HON. TIM HOLDEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 24, 1998

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes:

Mr. HOLDEN. Mr. Chairman, I rise today to share my support for America's dairy farmers, and to oppose efforts to strike a very important dairy provision from the FY99 Agriculture Appropriations bill, a provision that will extend the implementation of Federal Milk Market Order (FMMO) reform.

The Agriculture Appropriations bill includes a very carefully crafted compromise designed to assure that Congress has sufficient time to review the Secretary of Agriculture's Final Rule for FMMO reform once it is issued. Specifically, the dairy language in the bill extends the deadline for USDA's implementation of FMMO reform from April 4, 1999 until October 1, 1999. This extension is important for the following reasons:

First, this provision will allow adequate time for Congress to review USDA's Final Rule in FMMO reform. In the 1996 Farm Bill, Congress requires USDA to reform the FMMO program by consolidating 33 milk marketing orders no later than 1999. USDA recently announced its proposed rules for FMMO reform. Included in the Secretary's proposal are two options for reforming the fluid milk pricing: Option 1A and Option 1B. The Secretary has indicated his support for implementing Option 1B even though 238 members of the House and 61 Senators have expressed their support

for Option 1A. With the current implementation deadline of April 4, 1999, there is concern there may not be time for the new Congress to adequately review the Final Rule and make changes, if they wish, before that deadline.

Second, the extension guarantees Congress time to make adjustments to the FMMO reform Final Rule, if necessary. Under this timetable, Congress will have six months from the release of the Final Rule, on or before April 4, 1999, to review the provisions of the Final Rule released by USDA and take up any changes they may wish to make. It would be much more difficult for Congress, which will be reorganizing following the fall elections, to complete its review of FMMO reform before the current April 4, 1999 deadline for implementation of FMMO reform.

I would now like to share with my colleagues the reason for my concern regarding Option 1B, and why I support having the opportunity to have my concerns addressed upon the issuance of a Final Rule.

In my home state of Pennsylvania, dairy is the largest agricultural enterprise in the state—representing a \$1.5 billion industry. Pennsylvania is the 4th largest dairy state in the country, with dairy products accounting for 40 percent of agricultural outputs in Pennsylvania. In the last ten years, the number of dairy farms has declined by 3,200, to only 10,500, and the number of dairy cows has declined by 90,000, down to just 640,000. In Pennsylvania, it has been estimated that 17,000 jobs are tied directly to the dairy industry, and another 12,500 jobs—such as building, trucking, banking, etc.—are indirectly tied to the dairy industry. It has been estimated that a 2 percent decline in Pennsylvania's dairy industry would translate into a loss of almost 600 jobs. Dairy is important to Pennsylvania, and the entire Northeast, because of the economic contributions it makes—both in dollars and jobs.

Under Option 1A, projected annual income of dairy farms would increase \$32 million. This is less than one half of one percent of total dairy farm income. Under Option 1B, however, U.S. dairy farmers would lose \$365 million per year or \$1 million per day under Option 1B. I have heard estimates that Option 1B could reduce mailbox prices by as much as \$0.85–\$1.25 per hundredweight in the Northeast.

The pricing structure for Class I (fluid) milk is extremely important to dairy farm income, rural community economic stability, and the regional supply of fresh fluid milk. The phase-down of farm income proposed by Option 1B will clearly hurt the financial condition of farmers, with small family farms bearing the greatest burden. In fact, the proposed rule states that "small businesses, particularly producers, would experience significant economic impacts." This runs counter to the USDA's recently released National Commission on Small Farms Report, "A Time to Act," which states, "the small farm is the cornerstone of our agricultural rural economy." As demonstrated by the 238 House Members and 61 Senators who signed the April, 1998 letter to Secretary Glickman, there is tremendous support in Congress for Option 1A in the pricing of Class I (fluid) milk. This option has broad bipartisan and geographic support from all major dairy producing regions of the country. Therefore, I am hopeful that USDA's final rule will have a Class I pricing surface, which resembles Option 1A.

HONORING THE BRAVERY OF MR. LEON BAKER

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. CAMP. Mr. Speaker, it is with great pride that I honor Mr. Leon Baker, from Greenville, Michigan, for his heroic actions. On May 14, 1998 while working for the Greenville Water Department he noticed a home en-

It is important to note, that, as a member of the Agriculture Subcommittee on Dairy, Livestock, and Poultry, I am pleased with some aspects of USDA's proposed rule, and I commend Secretary Glickman and the USDA's Agricultural Marketing Service for their hard work in attempting to create a consensus reform package on this issue. However, I remain concerned with the Option 1B proposal, as do a majority of my colleagues, and I look forward to working with USDA to resolve this issue.

I urge my colleagues to support the FMMO reform extension, and oppose any efforts to strike this important provision from the FY99 Agriculture Appropriations Bill.

TRIBUTE TO PETER O'NEIL UPON
HIS RETIREMENT

HON. ANNE M. NORTHUP

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mrs. NORTHUP. Mr. Speaker, I would like to take this opportunity to recognize a constituent of mine from the Louisville area. His name is Peter O'Neil. Mr. O'Neil recently retired from the United Parcel Service where his leadership in the area of aviation security helped to make our skies safer for everyone. Even though working for an all-cargo airline, Mr. O'Neil served as Chairman of the Air Transport Association's Security Committee and worked to bring industry consensus on how to respond to security threats. Mr. O'Neil distinguished himself here in Washington, working with the Federal Aviation Administration and the Department of Transportation. I would like to thank Peter O'Neil for his dedicated service to our country and wish him and his wife Robin a happy retirement.

THANK YOU TO THE CREW OF AIR-
CRAFT CARRIER THE "JOHN C.
STENNIS"

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. GILMAN. Mr. Speaker, today the men and women of the U.S. Armed Forces stand guard in defense of our vital interests in the Persian Gulf. These dedicated men and women stand ready to respond to the latest crisis in the Middle East with the most advanced and capable weapons systems available. A few months ago as the United States prepared to strike Iraq, the news media flooded the airwaves with stories about our military personnel in the Gulf. After the crisis, the media left but thousands of our soldiers, sailors and airmen remained—on guard and at their posts.

One of the most difficult assignments in the Gulf is service at sea aboard the many naval vessels that ensure that the U.S. retains a unilateral ability to defend our interests in a crisis. Much of the work is long, tedious and boring but let us make no mistake about it—the fate of the world's economy and our national security depend on these men and women in uniform.

I want to invite my colleagues to take this opportunity to thank the men and women of our armed services who are currently serving in the Gulf for their dedication to duty and their commitment to their country. I also want to send a specific thank you to the crew of the U.S.S. *John C. Stennis* (CVN 74) who form the backbone of our commitment to Gulf security. Under the able leadership of the Battlegroup Commander, RADM Ralph Suggs, the ship's Commanding Officer, Captain Douglas Roulstone, and the Executive Officer, CDR Wade Tallman, our newest aircraft carrier and pride of the fleet is the reason why Saddam Hussein and the Iraqi leadership are kept at bay. These Navy leaders took a brand new ship and crew and welded them into a team that is now a cornerstone in our nation's security.

A member of my staff recently served with this crew as they prepared for the Gulf. He reminded me that long after CNN and the other networks left the Gulf, our people in the nation's sea service remained on duty in the Gulf. While I cannot read the names of the whole crew, I wanted to send a special thank you from the Congress to the ship's intelligence staff who are the eyes and ears of the Battlegroup, watching any threat which may intend harm for America and her allies. In specific, I want to thank the following sailors for their service:

CDR Paula L. Moore, LCDR William P. Hamblet, LCDR Cecil R. Johnson, LT Claudio C. Biltot, LT Wayne S. Grazio, LT Constance M. Greene, LT Amy L. Halin, LT Michael C. McMahon, LT Michael S. Prather, LTJG Jason S. Alznauer, LTJG Kwame O. Cooke, LTJG Joe A. Earnst, LTJG Ben H. Eu, LTJG Neil A. Harmon, LTJG Kevin J. McHale, LTJG Alexander W. Miller, LTJG Eric C. Mostoller, LTJG Kevin E. Nelson, LTJG John M. Schmidt, ENS Curtis D. Dewitt, ENS Joseph M. Spahn, CW02 Robert G. Stephens, ISCS(SW) Mary B. Buzuma, CTIC Andrea C. Elwyn, CTRC(SW/AW) Leroy Dowdy, ISC Nancy A. Heaney, PHC(AW) Troy D. Summers, CTO1 William L. Beitz, IS1 Janice E. Bevel, CTR1 Theresa L. Covert, CTR1 Charlene Duplanter, PH1 Lewis E. Everett, CTA1 Jennifer L. Fojtik, IS1 Matthew E. Hatcher, CMT1(SW) Susan C. Kehner, IS1(AW) Kevin E. King, CTT1 John E. Schappert, CTT1 Marx A. Warren, CTR1(SW/AW) Kevin R. Webb, PH1(AW) James M. Williams, CTR2 Francis E. Algers, IS2 Zachary C. Alyea, PH2 Clinton C. Beaird, IS2 Brandon G. Brooks, DM2 Chad A. Dulac, IS2 Sean M. Fitzgerald, PH2(AW) Brain D. Forsmo, CTRA2 Sarah A. Fuselier, IS2 Brent L. George, IS2 Richard M. Gierbolini, IS2 Christopher S. Holloman, CTR2 Kevin J. Hubbard, PH2 Leah J. Kanak, CT12(NAC) Paula C. Keefe, IS2 Angel Morales, IS2 Matthew W. Nace, CT12(NAC) Eric S. Newton, CTO2 Milton T. Pritchett, IS2 Richard J. Quinn, IS2 Lee E. Redenbo, CTR2 Michael A. Santichi, IS2 Bryan S. Stanley, IS2 Mark A. Szygula, PH2(AW) Jadye A. Theobald, CT12 Sarah A. Vogel, PH3(SW) Robert M. Baker, IS3 Gere L. Beason, IS3 Michael J. Barrencea, PH3 Richard J. Brunson, CTO3 Michael H. Buxton, PH3 Jomo K. Coffea, IS3 Terry D. Cooper, IS3 Trinity A. Durrell, CTR3 Angel Garay-Guzman, CTR3 George W. Hall, PH3 Sandra Harrison, CTO3 Yacha C. Hodge, IS3 Mark T. Kenny, CTT3 David E. Kozacek, PH3 Michael L. Larson, PH3(SW) Stephen E. Massone, CT13 Dennis M. Paquet, IS3 Christopher P.

Petrofski, IS3 Christopher D. Ross, IS3 John C. Shirah, CTT3 Gus Smalls, PH3 Alicia C. Thompson, CMT3 Jonathan R. Thompson, PH3 Kevin R. Tidwell, CTR3 Malina N. Townsend, IS3 William T. Tyre, CTR3 Thomas J. Wilgus, PH3 Robin R. Williams, ISSN Samuel J. Abernathy, PHAN Emily A. Baker, ISSN Kevin L. Bolden, CTRSN Stacey L. Bowman, ISSN Daniel F. Cady, ISSN Charles E. Fischer, ISSN Gene H. Gregory, ISSN Stephen W. Hedrick, AN Thomas E. Kossman, CTOSN Melissa A. Oliver, PHAN Jamie Snodgrass, ISSN Michael D. Spiller, ISSN Arther C. Twyman, ISSN Travis L. Veal, PHAR James A. Farraly, and PHAR Quinton D. Jackson.

In August, we plan to welcome these dedicated sailors and their crewmates back to the United States at their new home port in San Diego, California. Until then and on behalf of the Congress, I want to extend our thanks to the crew of the *John C. Stennis* and their families for their pride, service and dedication to their country. Godspeed and come home safely.

COMMENDING THE GARY, INDIANA
NAACP

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. VISCLOSKY. Mr. Speaker, it is my distinct pleasure to commend the members of the Gary, Indiana, branch of the National Association for the Advancement of Colored People (NAACP). Tonight, June 25, 1998, the Gary NAACP will hold its thirty-fifth annual Life Membership Banquet and Scholarship Diner at St. Timothy community Church, in Gary.

This annual event is a major fundraiser for the Gary branch of the NAACP. The funds generated through this activity, and others like it, go directly to the organization's needed programs and advocacy efforts. In addition, the dinner serves to update and keep the community aware of the activities, accomplishments, and accolades of the local and national chapters of the NAACP on an annual basis. This year's banquet will feature the branch's own Dr. Randall C. Morgan, Jr., a resident of Valparaiso, as the keynote speaker. Dr. Morgan, a second generation life member, has been a proud Golden Heritage Member of the NAACP for fifteen years, and he is the immediate past President of the National Medical Association.

Tonight, the Gary NAACP will honor seven of Northwest Indiana's finest leaders for their efforts to further equality in society. Joining more than five hundred outstanding civil, community, and religious leaders of the region, the following distinguished individuals will be inducted as life members of the Gary NAACP: Frances Boler, of Gary; Edward Evans, of Gary; Walter James, of Gary; Floyd Mask, of Gary; Gussie Mask, of Gary; Mozella Stone, of Gary; and James Thomas, of Munster. In addition, Richard Williams, of Gary, will be awarded a scholarship for his excellence as a student, an activist, and a leader. This four thousand dollar scholarship will help finance Richard's college education at a college or university of his choice.

The Gary NAACP was organized in 1915 by a group of residents that felt there was a need

for an organization that would monitor and defend the rights of African-Americans in Northwest Indiana. The national organization, of which the Gary branch is a member, focuses on providing better and more positive ways of addressing the important issues facing minorities in social and job-related settings. Like the national organization, the Gary branch of the NAACP serves its community by combating injustice, discrimination, and unfair treatment in our society.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in paying tribute to Frances Boler, Edward Evens, Walter James, Floyd Mask, Gussie Mask, Mozella Stone, James Thomas, and Richard Williams, as well as the other members of the Gary NAACP, for the efforts, activities, and leadership that these outstanding men and women have utilized to improve the quality of life for all residents of Indiana's First Congressional District.

HELP RESTORE AMERICA'S RIGHT TO WORK

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. DOOLITTLE. Mr. Speaker, I rise today to offer my colleagues a rare opportunity to be able to do what is right.

To stand up for the freedom of those who are forced to pay union dues against their will to keep their jobs, and at the same time to vote for legislation supported by nearly 80% of the American people. Congress created compulsory unionism with its power-grabbing National Labor Relations Act and Railway Labor Act. Coercive unionism has a crippling effect on our nation's competitiveness, preventing hard-working Americans from being as productive as they know how to be, destroying businesses and the jobs they provide, or sending those good jobs overseas.

Now, Congress can fix its mistake and free working Americans from this forced dues tyranny. H.R. 59, the National Right to Work Act, would end the forced payment of union dues or fees. Joining a labor union is a right and will remain so. But not joining a union should be a right as well.

I ask my colleagues to join me in support of H.R. 59 and I urge the leadership to bring it to the floor for a vote.

ZEKE FORLINI RECEIVES PIO ZAPAZODI CONGRESSIONAL AWARD

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to congratulate, Mr. Zeke Forlini, one of my constituents, on receiving the Pio Zapazodi Congressional Award, recognizing his dedication to the EMS and firefighting community.

As co-chairman of the Congressional Fire Caucus and a former firefighter and chief, I have witnessed first hand the dedication of

many men and women to the community. However, there are some unique individuals whose service is heads about the rest. To recognize those individuals, Delaware County has established the Pio Zapazodi Congressional Award, named after a longtime, dedicated leader in the fire community in Upper Darby and the entire county.

Zeke is a leader in the local fire community and an individual I consider to be a close friend. In the early nineties, he helped to develop the Emergency Services Training Center in Folcroft, Pennsylvania. Using his own equipment from his own concrete business, Zeke donated countless hours and resources to the construction of the training center. His efforts and assistance played an important role in the timely opening of the center which is an important resource to the fire and EMS community of Delaware County. In addition to his time and money, Zeke has offered his guidance to the project, giving direction to many smaller projects at the center.

Zeke has seen the training center project through from beginning to end, going so far as to supply the refreshments for the dedication of the building. And when the future of the building was questionable, Zeke arranged the pouring of 185 yards of solid concrete for the foundation.

Zeke continues to be active in the emergency services community, dedicating much of his personal time to the Board of Fire and Life Safety. Mr. Speaker, this man's commitment to his community is truly an example for our entire region. His considerable generosity and genuine interest in the welfare of our county is only matched by the many well-deserved friends he has accumulated over the years. It is a fitting tribute that the entrance to the Emergency Services Training Center has been named "Zeke's Way." With his continual gifts of time, guidance, and friendship, it is evident that Zeke Forlini has earned the Pio Zapazodi Congressional Award.

Mr. Speaker, I ask my colleagues to join me in recognizing Zeke Forlini for his selfless dedication to the fire community.

MILITARY RETIREE HEALTH CARE RELIEF ACT

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mrs. EMERSON. Mr. Speaker, I am here today to introduce the Military Retiree Health Care Relief Act. This legislation will provide a refundable tax credit to all military retirees and their spouses for Medicare Part B monthly premiums, and it will waive the ten percent penalty for late enrollment in Medicare.

As we head into this Fourth of July recess, let us not forget why we are blessed with freedom and democracy in this country. The sacrifices made by those who served in the military are something that must never be overlooked. Promises were made to those who served in the Uniformed Services. They were told that their health care would be taken care of for life if they served a minimum of 20 years of active federal service.

Well, those military retirees served their time and expected the government to hold up its end of the bargain. They are now realizing

that these were nothing more than empty promises.

Those who served in the military did not let their country down in its time of need and we should not let military retirees down in theirs. It's time military retirees get what was promised to them and that's why I am introducing this legislation.

LEARNING WITH LAPTOPS

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. SPENCE. Mr. Speaker, as the academic year comes to a close across our country, I rise to bring to the attention of the House the "Learning With Laptops" program, which is conducted by the Beaufort County School District in South Carolina. This impressive program makes it possible for sixth and seventh grade students to combine learning and technology by using laptop computers for classwork and homework. The Beaufort County School District is the largest public school system in the United States to participate in this innovative partnership with Microsoft and Toshiba. The pilot program was initiated during the 1996-1997 academic year, in which 330 sixth grade students were provided with laptop computers. In the 1997-1998 academic year, the program expanded to involve 1,325 sixth and seventh grade students, and it is anticipated that when the schools open in Beaufort County for the 1998-1999 academic year, that more than 2,000 sixth and seventh graders will be using laptop computers in most of their classes.

The "Learning With Laptops" program is based on a public/private partnership. The SchoolBook Foundation, a nonprofit organization, was formed to lease and subsidize the laptop computers for students. Through subsidies, all students are able to participate in the program, regardless of their financial circumstances. In fact, the majority of students who are participating in the program qualify for free or reduced price lunches.

Through the "Learning With Laptops" program, an enthusiasm about exploring new areas inside and outside of the classroom has been created. I have visited a classroom of the H.E. McCracken Middle School, where students demonstrated their skills and ingenuity in using laptop computers, and I was impressed with their ability to utilize this technology so effectively. By integrating laptop computers into the learning process through this model program the Beaufort County School District is leading our Nation into a new dimension of educational achievement.

Earlier this month, the "Learning With Laptops" program was highlighted among our country's technology innovators at a special symposium that was sponsored by the Smithsonian Institution. I would like to commend the Beaufort County School District on its efforts to put its motto of "Innovation Toward Excellence" into practice with such an outstanding program.

PERSONAL EXPLANATION

HON. HAROLD E. FORD, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. FORD. Mr. Speaker, on Thursday, June 24, 1998, I was present on the House floor during rollcall vote No. 264—final passage of H.R. 4104, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 1999. To my knowledge, I voted on final passage of H.R. 4104. Apparently, my vote was not recorded. Had my vote been recorded, it would have been "aye."

IN COMMEMORATION OF THE
SANTA MARIA LAWN BOWLING
CLUB**HON. LOIS CAPPs**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mrs. CAPPs. Mr. Speaker, I rise to bring to the attention of my colleagues the 20th anniversary of the Santa Maria Lawn Bowling Club. The club, which was established in 1978 with a grant from the Joslyn Foundation, brings together old and young residents of the Central Coast, allows them to participate in one of the oldest known sports.

The Santa Maria Lawn Bowling Club has more than 100 members and participates in intra club tournaments with neighboring lawn bowling clubs. It has succeeded in popularizing the sport of lawn bowling in Santa Maria, and has enriched the quality of life of this special community.

I ask my colleagues to join with me, the county of Santa Barbara, and the city of Santa Maria in commending the Santa Maria Lawn Bowling Club on its 20th anniversary.

PERSONAL EXPLANATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mrs. MALONEY of New York. Mr. Speaker, on Monday, June 22, I was unavoidably detained and missed rollcall votes 252–256. Had I been present, I would have voted "yes" on all of them.

MINORITY TOBACCO LEGISLATION

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. UNDERWOOD. Mr. Speaker, I am pleased to join my colleagues today in introducing tobacco legislation which addresses many of the concerns of the minority communities.

As Chairman of the Health Task Force of the Hispanic Caucus and Vice Chairman of the Congressional Asian Pacific American

Caucus, I have been working with a number of public health advocates to develop a proposal by which affected communities would benefit from public health services provided by organizations that have long served minority populations in tobacco-related activities.

There is no doubt that minorities have been targets by the tobacco industry. The effects of tobacco-related illnesses suffered by minorities are well documented in the April 1998 report of the Surgeon General of the United States. Unfortunately, the Surgeon General's report does not have good data on the territories. Guam, for example, has a 41 percent adult smoking rate, but nowhere is this mentioned in the report. Our bill calls for good data collection which would include the territories.

The bill which we are introducing today includes intervention programs designed to accomplish the following priorities: (1) to fund tobacco-related prevention activities in the minority community; (2) to conduct research on tobacco use by minorities; and (3) to enact programs to reduce or stop tobacco use by minorities.

Last year, the tobacco industry and the State Attorneys General agreed to a proposed settlement aimed at the restructuring of tobacco policies, giving us an opportunity to address tobacco control policies seriously and comprehensively. The bill we are introducing today accomplishes some of the goals and objectives in the proposed tobacco settlement agreement.

Recent efforts at reform were attempted through the McCain tobacco bill, which the United States Senate killed last week. The extensive and often contentious debate over the now-defunct McCain bill has demonstrated that even widespread support for anti-tobacco legislation can be forestalled by partisan politics, especially in an election year. In arguing against the bill, many Senators wielded accusations of "tax and spend" policies, playing on their constituencies' wariness of "big government." It is clear that the approximately \$40 million of advertising by the tobacco industry designed to raise doubts about enacting tobacco control legislation helped to kill the McCain bill.

The Republican leadership in the U.S. Congress now have proposed a teen smoking bill as an alternative to the McCain proposal. In my view, this narrowly-crafted proposal by the Republican leadership falls far short of the pressing needs in our minority communities.

Our proposal hinges on a comprehensive plan to create public health interventions aimed at cessation, education, and research programs in the targeted communities. We believe that a proportional amount of funds raised from tobacco legislation should go to the funding of these public health programs.

While the tobacco industry has long been notorious for targeting minorities, especially African Americans and Native Americans, the need for such public health programs grows more and more urgent as the numbers of minority group members who smoke continues to increase at alarming rates.

Teenagers are especially vulnerable to the influence of ubiquitous and alluring advertising aimed at their demographic. This year's Surgeon General Report—the first to focus on minority tobacco issues—evidences just how effective has been the tobacco companies' targeting of minorities.

According to the report, from 1991 to 1997, smoking rates among African American high

School students increased by 80 percent, while smoking rates among Hispanic high school students increased by 34 percent. From 1990 to 1995, smoking by high school students increased by 17 percent among Asian Americans and by 26 percent among American Indian and Alaska Natives. Smoking-related illnesses, such as lung cancer, continue to be a significant cause of death for these groups.

However, the tobacco industry's hold on minority groups involves more than just the pervasiveness of flashy advertising and targeting a niche market. Often, minority organizations are funded indirectly by tobacco companies, and soon come to depend on tobacco companies as primary sources of funding. We believe that national tobacco legislation should address the need to wean organizations away from their dependence on the tobacco industry. Our bill has a provision to accomplish this objective.

The dependence of minority organizations on tobacco funding, as well as the alarming statistics in the Surgeon General's report, together provide compelling evidence for the urgency of our legislation. Our bill utilizes existing public health agencies at the federal, state and local levels. Community-based organizations would be involved in running these programs. Funds would be targeted for cessation, prevention, research or education programs in the minority communities. And the Secretary of Health and Human Services, in collaboration with the Office of Minority Health, would be accountable for the outcomes mandated by the bill. As members of the Hispanic Caucus, Black Caucus, Asian Pacific American Caucus, and Native American Caucus, we believe that our proposal is reasonable and achievable within the context of national tobacco legislation.

Let's be clear on why we are introducing this bill today and why we are seeking support for its enactment. It's about helping our children who have been targeted by the industry, it's about our communities that have suffered, and it's about our resolve to make the tough decisions to prevent another 418,000 individuals from dying each year due to smoking.

We look forward to working with the Republican and Democratic leadership in Congress, as well as with President Clinton, to enact comprehensive tobacco legislation which includes our proposal. It is our duty to act now so that more people will not die as a result of our inaction.

A TRIBUTE TO RONALD L. WILSON

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention today the fine work and outstanding public service of Mr. Ronald L. Wilson, the recipient of the 1998 Citizen of the Year Award by the California Inland Empire Council of Boy Scouts of America. Ron will be recognized at a dinner in his honor on Saturday, July 11 in Victorville, California.

Ron Wilson was born on October 12, 1953 in Hyden, Kentucky. In 1958, however, Ron and his family moved to Arizona where he

graduated from Cortez High School and Grand Canyon University. It was in Arizona that he first discovered his love for banking.

In 1989, Ron was appointed Executive Vice President/Chief Administrative Officer of Desert Community Bank and President/Chief Executive Officer in 1990. Ronald is very dedicated to the banking business and as acting CEO, he has achieved unprecedented success for Desert Community Bank. In addition, Ron has also received a number of awards which he has shared with the Bank and its employees.

These extraordinary entrepreneurial skills, however, are not all Ron has given to the community. At present, Ron serves on the Board for Victorville Rotary, St. Mary Foundation, Partnership in Academic Excellence Foundation/Academy of Academic Excellence, United Way, Apple Valley Care Center, Victor Valley Union High School District and San Bernardino County Fair Board. Ronald also writes a weekly newspaper column for the Daily Press and hosts a weekly television interview shown on Channel 64 and two cable stations. Clearly, Ronald L. Wilson's service is a model of outstanding citizenship.

Mr. Speaker, it is people like Ron that make our community a better place to live. I ask that you join me, our colleagues, and the California Inland Empire Council of Boy Scouts of America in recognizing Ron Wilson as 1998 Citizen of the Year.

RECOGNIZING ADVANCES IN THE MICROBIOLOGICAL SCIENCES

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. PORTER. Mr. Speaker, I rise to recognize the extraordinary scientific contribution advances in Microbiological Sciences have made to the United States over the past century. These advances have improved the nation's health, economy and environment for all Americans. I'm recognizing these contributions on the eve of the 100th anniversary of the founding of the American Society for Microbiology, the oldest and largest single life science organization in the world.

Some of the greatest scientific achievements of humankind have come from microbiologists like Harold E. Varmus, J. Michael Bishop, Jonas Salk, Rosalyn Yalow, David Baltimore, Daniel Nathans, Hamilton Smith, Arthur Kornberg, James Watson, Baruj Benacerraf, Paul Berg, Selman Waksman, Joshua Lederberg, and many others. In fact, two thirds of all Nobel Prizes awarded in the past decade in Physiology or Medicine have been awarded in the microbiological sciences.

All life on earth is inextricably intertwined with microorganisms; without microorganisms all other life forms would cease to exist. Our own knowledge of fundamental life processes has been substantially advanced through the study and research of microorganisms.

Microbiological research contributes not only to the treatment, prevention and cure of infectious diseases—the leading cause of death worldwide—but also to treatments and cures for emerging diseases of humans, plants and animals that pose an increasing threat to public health. Microbiological research also has

led to developments in monitoring and improving the safety of our food supply, maintaining the quality of health care delivery, defending against biological weapons, and to the application and development of alternative methods of energy production and waste recycling, biotechnology, bioremediation of environmental problems, and even new sources of food. In addition, microbiological research has led to the development of new antibiotics and vaccines for diseases that have saved millions of lives and billions of dollars.

In addition to the importance of these scientific applications of Microbiology, the economic impact of a wide range of United States employers who rely on the microbiological sciences can not be underestimated. These employers include medical centers and clinical laboratories, pharmaceutical companies, biotechnology firms, food products manufacturers, colleges and universities, government laboratories, and national, state and local agencies have made the United States a world leader in biomedical research and development, and generates a positive balance of trade for our country.

Microbiological research creates high-skill jobs, helps retain U.S. leadership in biomedical research, protects the environment, and provides great hope for effectively treating, curing and preventing disease.

In conclusion, I wish to commend the Microbiological Sciences and in particular the American Society for Microbiology for their contribution to science and public health and congratulate the Society on an enormously successful century of public service.

BEVERLY J. ROHRER, ED.D.: A DISTINGUISHED RECORD AS SUPERINTENDENT OF SCHOOLS FOR THE REDONDO BEACH UNIFIED SCHOOL DISTRICT

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Ms. HARMAN. Mr. Speaker, I rise today to recognize Dr. Beverly J. Rohrer on her retirement as Superintendent of Schools for the Redondo Beach, California, Unified School District. Her retirement ends a distinguished and visionary career which began in the classroom in 1960.

Since Beverly became Superintendent in 1990, the Redondo Beach schools have led the nation in innovative approaches to the use of technology in education. For example, she helped create the ADTECH Consortium, a coalition of 12 Los Angeles South Bay School Districts, community colleges, universities and businesses which resulted in an innovative high-technology training and learning center called the "Futures Academy." I was proud to participate in the ribbon-cutting for the Academy, which has become a "technology school-house" for educating teachers, students and the community. Technologically-proficient teachers, in turn, prepare youth for high-skilled, tech-driven jobs of our new economy.

Beverly also instituted many advanced educational programs. Stanford University selected Redondo Beach as the first district in the country to implement their pilot Accelerated School Program. The Getty Education In-

stitute for the Arts chose Redondo Union High School as a County Center of Excellence in Fine Arts. The award-winning Health, Fitness and Sport Academy promotes fitness and career opportunities. And, the Center for the Advancement of Arts and Entertainment is the focal point of the district's visual and performing arts curriculum.

Beverly's leadership inspired invention and confidence among students, parents and teachers. Students manage BeachNet, the district's Wide Area Network. Ninth graders and teachers have laptop computers to begin full high school participation in wireless, wall-free learning. KnowledgeNets is on-line 24 hours a day. And, high school students thousands of miles apart produced a musical, then performed together in Redondo Beach.

Among Bev's other contributions and professional affiliations are membership on the Executive Council of the Technology for Learning Initiative, The National School Board Association Institute for Transfer of Technology to Education, and IBM's ArtsEdTech 100 Conference.

Mr. Speaker, Bev Rohrer will be fondly remembered for her exhaustive efforts to address the challenges of educating adults and teaching young people in a world of constant and demanding change. But most importantly, she can look about the community and see a legacy made of the thousands of children, parents, teachers and administrators whose lives she touched. It is a legacy for which she can be immensely proud.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

SPEECH OF

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

The House in a Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes.

Mr. STUPAK. Mr. Chairman, I rise today to further clarify my position on the Wildlife Services program at the Department of Agriculture. Today Mr. BASS and Mr. DEFazio offered an amendment to H.R. 4101 which reduces the appropriation for Wildlife Services by \$10 million, to \$28.8 million.

The intention of the Bass-DeFazio amendment is to prevent Wildlife Services from using controversial procedures and inefficient practices for killing predators in western states. The activities that have occurred in western state have been heavily criticized for their indiscriminate killing programs. The program designed to kill coyotes, for example, kills many pets and endangered species. Additionally, the program has been criticized for its wasteful spending practices in the west. In New Mexico, for instance, Wildlife Services spent more than \$2 million to kill predators that had inflicted \$167,000 to ranchers. I oppose these

activities and urge the Department of Agriculture to assure that Wildlife Services acts responsibly and efficiently.

I cannot, however, vote for the Bass-DeFazio amendment. Just last week in my congressional district, a cow was identified as having contracted Bovine TB, a dangerous livestock disease. The cow contracted the disease from an infected white-tail deer. There are several deer herds in northern Michigan which are identified as Bovine TB-positive herds. Wildlife Services has assisted the State in fighting to eradicate Bovine TB and is responsible for depopulating some of the infected deer herds.

I appreciate the efforts of Mr. BASS and Mr. DEFAZIO to change the way Wildlife Services does business. This amendment, unfortunately, does not clearly state which practices at Wildlife Services should be changed or how they should be changed. The language does not protect the many exceptional activities performed by Wildlife Services, like protection of human health and safety. We may all be able to agree that the intention of this amendment is to stop the controversial practices in the west, but there is no guarantee that intention will be implemented when Wildlife Services receives their FY99 appropriations on October 1. While I appreciate the efforts of Mr. BASS and Mr. DEFAZIO, I cannot vote to put each of Wildlife Services activities at risk.

A SALUTE TO THE DIKEMBE
MUTOMBO FOUNDATION, INC.

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. STOKES. Mr. Speaker, I rise today to bring attention to a very worthy cause. On Friday, June 26, the Board of Directors of the Dikembe Mutombo Foundation will hold a special celebration dinner. I am proud to speak to you today about this organization.

Atlanta Hawks player Dikembe Mutombo created the Dikembe Mutombo Foundation in 1997. He wanted an organization that would fulfill his longstanding desire to aid the plight of health care in Africa, particularly in his native homeland of Kinshasa, located in the Democratic Republic of the Congo.

In the Congo, children die every day from curable diseases, the sole reason being lack of adequate health care resources. The Foundation was created to address that problem as well as to ensure that immunization programs are available, and to improve the health, education, and quality of life for the people of the Congo. Another of the foundation's major projects is to build a General Hospital in Kinshasa, the capitol city.

The humanitarian efforts of the Dikembe Mutombo Foundation are merely an extension of Dikembe Mutombo's personal efforts. Off season, Dikembe has made four goodwill ambassador trips in five years to Africa. In 1996, he provided uniforms and expenses for the women's basketball team from the Congo during the Centennial Olympic Games in Atlanta. He has served as the international spokesman for CARE—an international relief effort organization. He travels throughout Africa on behalf of the NBA performing at basketball clinics for as many as 2,000 children per day.

Dikembe is also involved with the Strong STARTS (Schools Taking Action to Reach Troubled Students) program. Strong STARTS is designed to reach the growing number of adolescents suffering from untreated emotional disorders that impair academic performance and social achievement. He serves as a spokesperson for the Atlanta Hawks Team Up program. Team Up's foundation is making a difference in the community. It encourages middle school students to take an active role in their communities from conducting canned food drives and toy drives to recycling cans and working at a local senior citizen's homes and soup kitchens.

Dikembe visits local schools with the message of overcoming adversity, and promoting reading. Along with his promotion of good study habits and staying in school, Dikembe tapes Public Service Announcements on violence prevention, volunteerism, and not smoking.

Mr. Speaker, Dikembe Mutombo is a role model to many with his humanitarian efforts and selfless giving. He provides opportunities to many underprivileged children and remains a man who stays in contact with his native homeland. As a child, Dikembe had hopes of becoming a medical doctor, in an attempt to aid those in need in his hometown. His career as a pro athlete with the NBA has taken him down a different path. Dikembe has still managed to fulfill his childhood dream, by aiding not only his hometown, but those in the Atlanta and international community as well.

I would like to thank my colleagues for allowing me this time to give a special thanks to the Dikembe Mutombo Foundation, Inc., and to Dikembe Mutombo.

IN HONOR OF EMILY CIKRA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. KUCINICH. Mr. Speaker, I rise to salute an extraordinary and determined young lady, Emily Cikra. Although diagnosed with muscular dystrophy, Emily has boldly accepted the challenge and lives her life passionately, serving as a role model to all she meets. She powerfully tells her own story in the June 17, 1998 issue of the Plain Dealer:

SERVING A SPECIAL PURPOSE
BAY TEEN WITH MUSCULAR DYSTROPHY OPENS
OTHERS' EYES TO DISABILITIES

(By Emily Cikra)

When I was in second grade, a little girl came up to me on the playground and wanted to play. When I asked how she knew my name, she replied, "Everybody knows you, Emily. You're the famous girl in the wheelchair."

Some people think I'm special, but I'm not. I'm me.

I have had a disability my whole life. Neither my parents nor the doctors realized anything was wrong until I was 1, when I wasn't reaching the physical milestones a typical baby would.

I was diagnosed with muscular dystrophy. This disease weakens the skeletal muscles and restricts me from walking. There are many types of muscular dystrophy; mine, called congenital, is one of the rarer types.

Early on, my parents tried to include me in everything typical kids were involved in.

They always assured me I was the same as everyone else; I just use wheels to get around instead of feet.

I have always believed this, and have done a lot of things people wouldn't expect me to be able to do. For example, I have skied at Boston Mills Ski Resort, gone to Girl Scout camp, ice skated in my chair, sledded, ridden roller coasters at Walt Disney World and swam in the ocean.

Kids in my grade and my whole community have always accepted me. They have been able to look past my disability and get to know me. I think it is a good experience for them to grow up with someone with a disability. Hopefully they will be able to see all people as equals and give everyone a fair chance.

Though it usually doesn't bother me, being in a wheelchair can get me down. There always will be things I can't do. It also makes some things more difficult, such as going into friends' homes, certain stores and restaurants.

Sometimes my friends make plans for activities that require physical agility, such as dances or sports. Transportation is an issue because someone has to be there who can drive my van with a lift. But as much as possible I participate and my friends are always considerate in thinking of how to include me.

This summer I would like to find a job, but due to mobility problems and general weakness, waitressing and typical teen jobs are out of the question. I guess I'll have to be a little more creative.

In the past few years I have realized that God put me here for a special purpose. I believe I am here to teach others that people with a disability are the same as other people, with feelings, opinions and ideas of their own.

I have begun trying to spread this word by talking at Bay Middle School for a diversity class that is a requirement for all fifth-grade students. People with disabilities and from different cultures talk to the class.

I tell the kids to ask anything on their minds, and if it's too awkward for me I will just pass. The questions they ask range from simple to very thoughtful. For example, "How many brothers and sisters do you have?"

Or "Do you have any pets?" to "Do you sleep in your wheelchair?" (No!) and "How do you get dressed in the morning?"

The kids are almost always more mature about meeting me than some adults are. For some reason, many grown-ups seem to think if you can't walk, you can't hear, see or think. They tend to talk down to me as if I were half my age.

Last year I had a setback just before Christmas. I developed pneumonia and was in Rainbow Babies & Children's Hospital for six weeks. I had a tracheotomy (a small hole surgically cut in my windpipe) and now I use a portable ventilator to help me breathe.

Actually I feel a lot better, and I'm working on getting off the vent. Our lives are a little different. I have a nurse or an adult nearby at all times in case of an emergency. I am lucky to have four wonderful home-care nurses who have been very comforting to me.

It's not always easy, but I have a loving family, supportive friends and a community that rallies for me in a time of need. I'm not special, but I'm surrounded by a lot of people who are.

My fellow colleagues, join me in recognizing Emily Cikra. She is a special person and deserves our Nation's recognition.

TRIBUTE TO THE LATE MR. JOHN
JASON MARANO

HON. JAMES H. MALONEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. MALONEY of Connecticut. Mr. Speaker, it is with deep sadness that I bring to the attention of the House of Representatives the passing of a young man in my Connecticut congressional district, Mr. John Jason Marano, who was involved in a tragic automobile accident on Tuesday, June 9, 1998.

A life long resident of Waterbury, John had accomplished much in his all too brief twenty years of life. An outstanding student at Fairfield University, where he would have been a senior, John was a marketing major and had made the dean's list. He was also a very active member of the East Mountain Athletic Association where he was a softball coach, a baseball and softball umpire and where he also officiated at basketball games.

John was a parishioner of St. Francis Xavier Church in Waterbury and attended St. Francis Xavier Grammar School, graduating in 1991. He also attended Holy Cross High School, graduating in 1995. While attending Holy Cross, John excelled in track and field, earning All-City honors as a pole vaulter.

John Marano was a special young man who was admired and respected by all who knew him. Classmates, employers, neighbors, and others all respected him for his kindness, his giving nature and the joy he brought to so many people. During his short life, he touched many others and contributed to their well being.

Besides his parents, John and Denise (Grant) Marano, John leaves a brother, Kevin; a sister, Jill; a paternal grandfather, Albert Marano; and a maternal grandmother, Irene Grant, all of Waterbury.

Mr. Speaker, we grieve over the tragic loss of John Jason Marano; at the same time we celebrate the special grace his life brought to so many people, and we are thankful that we had, however briefly, an outstanding person like John Jason Marano in our lives.

I want to express my personal condolences to John's family and extend to them the condolences of the entire U.S. House of Representatives.

INTERNET TAX FREEDOM ACT

SPEECH OF

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 23, 1998

Mr. PAUL. Mr. Speaker, I rise today to express skepticism regarding H.R. 4105, The Internet Tax Freedom Act. The stated goal of H.R. 4105 certainly is noble: "A bill to establish a national policy against State and local interference with interstate commerce on the Internet, to exercise congressional jurisdiction over interstate commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce via the Internet, to establish a national policy against federal and state regulation of Internet access and online services, and for other pur-

poses." The bill's name, "Tax Freedom," also expresses a laudable notion. One must always be wary of misnomers in Washington—the Justice Department comes to mind as one quick example. The late economic historian, Murray N. Rothbard, Ph.D., so warned when he stated "when someone in government mentions the word 'fairness', grab your wallet and run for the hills."

I am, nevertheless, always suspicious when a recently-crafted bill comes to the House floor not only having bypassed the Committee process but without any advance warning. Such was the case with this bill. Moreover, this bill comes to the floor under suspension of the rules which does not allow for amendments and which limits the debate time to twenty minutes on each side. I, in fact, was denied an opportunity to speak by those managing the limited time allowable under this process.

However laudable the stated goal of tax freedom this bill still encroaches on state's right to raise revenue and reserves instead (establishes) an exclusive right for national and international governments to instead impose the "proper" form of taxation and distribute it to local governments as these larger governmental bodies ultimately see fit. At the same time, this particular bill rewards those states which were quick to tax their citizens by "grandfathering" their taxes while excluding other States' rights to do so certainly making this a bill that lacks uniformity.

If the intended purpose of the legislation was simply to keep the internet tax free, a three paragraph bill would have been adequate to accomplish this. Instead, H.R. 4105 is significantly more complex. It, in fact, creates a new 30-member federal commission tasked with, among other things:

Examining model State legislation relating to taxation of transactions using the Internet and Internet access, including uniform terminology, definitions of the transactions, services, and other activities that may be subject to State and local taxation, procedural structures and mechanisms applicable to such taxation, and a mechanism for the resolution of disputes between States regarding matters involving multiple taxation;

Examining a simplified system for administration and collection of sales and use tax for remote commerce, that incorporates all manner of making consumer payments, that would provide for a single statewide sales or use tax rate (which rate may be zero), and would establish a method of distributing to political subdivisions within each State their proportionate share of such taxes, including an examination of collection of sales or use tax by small volume remote sellers only in the State of origin;

Examining ways to simplify the interstate administration of sales and use tax on remote commerce, including a review of the need for a single or uniform tax registration, single or uniform tax returns, simplified remittance requirements, and simplified administrative procedures; and

Examining the need for an independent third party collection system that would utilize the Internet to further simplify sales and use tax administration and collection;

These H.R. 4105-established "duties" suggest that the Commission's real purpose is to design a well-engineered system of taxation (efficient tyranny) rather than keep citizens in a state of "Tax Freedom" as the bill's name suggests. I encourage my colleagues in this House as well as citizens of this country to be wary of federal and international encroach-

ment upon the privacy and efficiency currently available to individuals around the globe via the internet.

TRIBUTE TO DR. HERMAN MIXON

HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. HILLIARD. Mr. Speaker, I rise today to offer a tribute to one of Alabama's most able and illustrious educators, Dr. Herman Mixon of Alabama A&M University. Dr. Mixon has made significant contributions to the State of Alabama as an educator for almost 29 years, as a practicing attorney, and as a community volunteer. Dr. Mixon has given of himself so that many of our nation's most treasured assets, our young people, may learn, grow and prosper in today's complex world.

I first came to know Dr. Mixon at the citadel of learning and knowledge, Morehouse College in Atlanta, Georgia. After our continued education in graduate school, and law school, we began working together under a general practice of law. It was at that time that I learned first-hand of his advocacy for children's issues, as evidenced by his volunteer work with the Boy Scouts, student organizations and individual students.

He has always been the best in whatever endeavor he chose to participate. In addition, his excellence in his chosen fields of endeavors, be it the law, education, or community volunteerism have always benefited many others. He is a volunteer of the first order, a scholar, a humanitarian, and a true gentleman.

Mr. Speaker, I request that Dr. Mixon be commended by the United States Congress for his laudable career of service to others, and that a copy of this statement be presented to him for his aforementioned illustrious career.

VIRGINIA BIRTH-RELATED INJURY
COMPENSATION LEGISLATION

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. BLILEY. Mr. Speaker, today I rise to introduce legislation which will ensure that payments Virginians receive under the Virginia Birth-Related Injury Compensation Program continue to be received on a tax-free basis.

The Birth-Related Injury Compensation Program was enacted in Virginia in 1987. It provides rights and remedies to infants that sustain birth-related neurological injuries. The program was designed to avert the insurance crisis that threatened the availability of obstetrical care by reducing the uncertainty inherent in the Tort system. The program removes cases involving certain serious birth-related injuries from the Tort system by providing a fund to compensate infants with such neurological injuries. If a qualifying injury has occurred and either the physician or hospital providing the obstetrical services participates in the program, compensation is available through the program without establishing fault. Qualifying injuries are generally brain or spinal cord injuries caused by the deprivation of oxygen or

mechanical injuries occurring during the course of labor, delivery or resuscitation in the immediate post-delivery period.

The program provides the exclusive remedy for qualified claimants against participating physicians and/or participating hospitals, except in cases involving international or willful acts. Upon a determination that the infant qualifies for compensation through the program, damages may be awarded for certain actual medically necessary and reasonable expenses, loss of earnings from age 18 through 65, and reasonable expenses incurred in connection with the filing of the claim for compensation through the program. One form of compensation sometimes provided is the rent-free use of a residence that is specially equipped to accommodate the needs of the child. No punitive damages are awarded, and no compensation is awarded for pain and suffering, emotional distress or mental anguish.

In 1994, at the request of one of the families receiving compensation, the program prepared and submitted a private letter ruling request to the IRS requesting a ruling that the rent-free use of a residence provided by the program could be excluded from taxable income by the infant and his family under section 104(a)(2) of the Internal Revenue Code. Section 104(a)(2) of the code provides "gross income does not include the amount of damages (other than punitive damages) received (whether by suit or agreement and whether as lump sums or as periodic payments) on account of personal physical injuries or physical sickness . . .". A favorable ruling was eventually obtained.

Because a private letter ruling may only be relied upon by the taxpayer to whom it is issued, another Virginia family that subsequently applied for compensation requested that the program submit a private letter ruling request to its behalf as well. A ruling request was prepared and submitted; however, in this instance, the IRS was unwilling to issue a favorable ruling excluding the benefits under section 104(a)(2) of the Code. It was the IRS' position that section 104(a)(2) only applied to damages received on account of traditional tort or tort-type rights. Because the Virginia Neurological Injury Compensation Act is a "no fault" statute and because the full range of traditional tort remedies (i.e., compensation for pain and suffering, emotional distress or mental anguish) is not available, the IRS took the position that the right to compensation through the program is not a traditional tort or tort-type right and, accordingly does not qualify for exclusion under section 104(a)(2).

Fortunately, the IRS eventually issued a favorable ruling on the basis that the program is an arrangement having the effect of accident or health insurance and that the benefits received from the program are excludable by the infant under section 104(a)(3) of the Code. However, the ruling is limited to benefits received by the infant. The IRS specifically declined to issue a ruling regarding the taxation of benefits received by the infant's family. I believe that classifying the program as an insurance arrangement under section 104(a)(3) is an indirect and perhaps temporary way of addressing the problem.

I believe the compensation received from the program is within the intent of exclusion under section 104(a)(2). Without the legislation I am introducing today, the IRS could make good on its threat to tax the benefits received under the program. Such action would have a

disastrous effect on the families which receive benefits, as taxes would significantly diminish the relief provided by the program unless the program agreed to compensate the families for the additional tax incurred. The reimbursement of the taxes incurred on an after-tax basis would almost double the cost of the relief provided by the program.

My legislation would ensure that Virginia families, who have already been visited by tragedy, could continue to receive benefits on a tax-free basis. The legislation would amend section 104(a)(2) to exclude from gross income payments received under this program. It is the right thing to do, and I urge the House to consider this legislation this year.

PEIRCE COLLEGE COMMENCEMENT
ADDRESS BY THE HONORABLE
MARJORIE O. RENDELL, THURSDAY,
MAY 14, 1998, PHILADELPHIA,
PENNSYLVANIA

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. FATTAH. Mr. Speaker, I am submitting for the record a recent speech given by the Honorable Marjorie O. Rendell, Judge of the U.S. District Court of Appeals, on the occasion of the recent commencement at Peirce College, in my Congressional district.

PEIRCE COLLEGE COMMENCEMENT ADDRESS BY
THE HONORABLE MARJORIE O. RENDELL

This is not my first graduation address, so I was not surprised when Dr. Lendo made an appointment to discuss with me the attributes of the school and the class that I should be aware of. He started by saying, "We're not your normal college," and twenty minutes later, I had the picture.

This is not your normal college. I have no intention of talking about you going out into the world. You are the world. I will not liken your school environment to a cocoon because you have all clearly left that developmental stage long ago.

I was quite taken by Dr. Lendo's description of the class and realized how distinctly different my address would have to be from a "traditional" commencement speech. My mind started working overtime, and I awoke at 6:00 a.m. the next morning with the wheels a-turning (My horoscope that day, I later discovered, said that I would be a steamroller. We've all had days like that—and some not quite like that.)

In any event—and this is the truth,—three songs from my past came to mind, songs that set the tone and frame the content of what I want to impart today.

I will take Dr. Lendo's description as gospel, and assume that most of the graduates have "been there, done that". In that we have a common ground (You don't get to age fifty without having "been there", and having "done that.") So allow me to share with you some thoughts about how wonderful you should feel about your arrival at this moment with many accomplishments and experiences tucked in your pockets and finally, the diploma in hand.

The first song is a children's song, "The Bear Went Over the Mountain." It goes like this: The bear . . . and whaddya think he saw; he saw another mountain, he saw another mountain. . .

You do not know until you get to the top of that mountain what you will see. Now, I take issue with the bear seeing only another

mountain ahead of him. I think the look back down the mountain is rather nice. In fact I tell mothers struggling with career and kids and the fun that entails, that these times are tough, but, believe it or not, they're really great to look back upon. It's fun to look back upon juggling the sick child, the busy husband, the demanding client, the needy parent, the barking dog—all needing you at once. Tough going up the mountain, for sure, but much easier to look back down.

I find that life is a mountain, with two sides. The first part, the trip up, is largely trial and error, while at the top, you stop, take a breath, appreciate your accomplishment, and start down, with the rest being somewhat easier due to what you've learned. Being at the top is fun . . . and many of you are there today.

Now, the bear did see other mountains ahead, so the trip down may not be the end of it, but I urge you to stop and enjoy, take pride not only in the fact that you arrived, but on how you got there. All the trials and tribulations, the trailblazing and exploration of uncharted territory that Dr. Lendo spoke of, the "going it aloneness" of what you did, these should bring a rush, a sense of satisfaction and accomplishment. Bask in it today, for tomorrow there's, as they say, the rest of the journey!

The second phrase is from a popular song "I can see clearly now".

I can see clearly now the rain is gone
I can see all obstacles in my way
Gone are the dark clouds that had me blind*
It's gonna be a bright, bright sunny day

*[Here is that rainbow I've been praying for]

Wait a minute. This guy's as bad as the bear. He sees the obstacles clearly and it's going to be a bright day? What's his problem? Well, again, seeing your problems clearly, as compared to not being able to see them at all, or having a less than clear picture of what lies ahead is not all that bad. All of us have our struggles, whether financial, health, family issues, frustrations, and setbacks. Education, pride and confidence enable us to deal with them. The knowledge that comes from what you have learned in the classroom and in life helps you deal with what you must confront.

I have always liked the passage from the Bible, "When I was child, I spoke as a child, I understood as a child, I thought as a child; but when I became a man I put away childish things. For now we see as in a mirror, dimly, but then I shall know just as I also am known" Your life experiences and your education give you the kind of self-knowledge that is rewarding and satisfying in and of itself.

When I was interviewed for the position of judge, someone asked me, "What in your background has prepared you to sit in judgment on others and make solitary decisions that will affect people's lives?" It was a very good question. My response was:

First, I have raised a child;

Second, I have experienced political campaigns which, truth be told, prepares you to single-handedly withstand World War III; and

Third, I have been a female bankruptcy lawyer, in a profession in which females, let alone female bankruptcy attorneys, have not always been, shall we say, welcomed.

In any event, I interpreted the question as, "What has formed your insides", and those were my thoughts. As Dr. Lendo has spoken of today, we've got some well-developed insides here today. I don't need to tell you that the things you confront that are burdensome are nonetheless opportunities; you know that. I don't need to tell you that your families are proud of you today, that's already part of you. Take some satisfaction in what

has formed your insides, because today it's written all over your face.

Another memorable question (and I know you're waiting for the third song, which I'll get to) was posed to me by the mother of one of Jesse's friends. We had taken the boys on a short ski trip—husbands not invited—and were preparing dinner. We were talking about family, kids, work and juggling—what else—and she asked me, "What sustains you?" I was taken aback; I'd never really thought about being sustained, let alone what did it. I thought a minute and replied, "love of those around me". When it comes right down to it, the love and support of those around us provides the sustenance for us to go on and do what we do.

The point of sharing these two questions and answers is that the self-knowledge—the seeing clearly, even of obstacles, that you are capping off with your diploma today is a reward in itself. Obstacles seen through the rainbow of the light of knowledge are manageable. Take a few minutes over the next week and ask your self these questions—what has formed you, and what sustains you?—and you will take great pride I am sure in your answers, and appreciate even more this great day.

Now for the third song. I actually sang this at a fundraiser for Bill Gray. It was at the Franklin Institute. The acoustics were bad, and everyone kept talking during the speeches. No one could hear the speakers, who were praising Bill for his years in Congress, as he was retiring to head the United Negro College Fund. So I decided to sing, and I sang "Oh, the Lord Is". I thanked Bill for using the tools God had given him to benefit us all. But I thought of doing this because this song is my joyful tune. It gives glory, yet has humility in it. It says that all we need, Lord, is the tools, just give us the tools and we'll do the rest. We'll do the hard work, sweat the sweat, take the time, apply the creativity, nurture, plant, prune, water, and cause the tree to grow. Give us the brains, the brawn, the fortitude, the courage, the hope, and we'll do the rest.

And, when I would leave a college exam on which I had guessed right as to what was going to be asked, I thanked God for the tools. And after a fairly short and very successful childbirth, I thanked God for the tools.

Well, today, I do hope you, too will take the time, to look around at all you have accomplished, at the people who have sustained and supported you, at the year you have put into doing all the things that wear you down and yet build you up, and give thanks for the tools.

HONORING MARJORIE
HIRSCHBERG, POET AND ADVOCATE

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. PALLONE. Mr. Speaker, it is my good fortune to represent Monmouth County, N.J., a beautiful, seashore county that produced our current Poet Laureate, Robert Pinsky.

Another accomplished poet also called Monmouth County home. That was Marjorie Hirschberg who died last year at the age of 54, a victim of Amyotrophic Lateral Sclerosis or Lou Gehrig's disease.

Before succumbing to that most vicious, crippling disease, Marjorie wrote poetry on her computer, touching her cheek to a wand until she could no longer even move her head.

Her mother said that through all of this struggle, Marjorie exhibited a bravery and spirit that gave strength to everyone—mother, father, husband and children and enabled them to cope with her rapid deterioration. "Bravo, my child," said her mother in a recent letter to me.

Well, I want to say "bravo" too, for the excellent and moving poetry that Marjorie Hirschberg produced and I would like to share two of these poems with my colleagues. I would also like to include an article that appeared in the Atlanta Journal-Constitution that highlights some of her many other contributions to the arts, women and children. The poems follow:

MY WONDERFUL MOTHER IS EIGHTY TODAY
I would like to drive her through my neighborhood
Honking the horn to let everyone know
How proud I am of her.
Visit all my friends with her
Accepting tea and cake
Or turkish coffee
As tokens of their love and respect. Then
I would take her to lunch some place
Where the prices would scandalize her.
We will talk of bess as suffragette,
Of pearl and the coat and evey and the wagon. Sid
Sid and the store and millie's phone call on
January 1. And Bobby's announcement of joy
to the world.
Then we get to newborn Ethan in our shaker
bed, Elizabeth of the tumbling
Brown ringlets. Of eloping with the brown-
haired adonis who came to the door
All this while eating our fill, sharing two ex-
travagant desserts
Then rolling home,
Knowing the best daydreams
Have a life of their own.

OLD DOG

I watch you lying in the sun on your better
days
Old, tired bones soaking up what little
warmth
The universe still holds for an old dog.
Coat neglected, chewed, host to parades of
Unconquerable, merciless fleas.
And smelly, I do remember that,
An undeniable, ugly fact.
You really smell.
But I remember too how you did love
How children tumbled carelessly all over you
And got adoring looks and happy panting in
return.
Recall that day a wild curly-headed toddler
Made her break for the road
And you shepherded her like an old pro
Those deep, patient sighs from your position
as a rug
Waiting for me to walk you
And then when I could no longer walk
You wouldn't leave my side
Believing like me it would be any minute
That I would jump up and grab the leash.
You became a nuisance to the ones in charge
The smell, the bulk, the fleas
(since we are being honest here,
You always were part nuisance)
So now shuttled between solitary in the hall
And lonely pees in the yard,
You seem a bit defeated
Love hasn't conquered all
We've both seen better days.
Perhaps like me you live in hope that those
days will return
When neglect was just silly human foible
Not the result of grief and numbness
When much fuss would have been made
About your lying on the chaise lounge.
And you could dream each year

Of next Passover and its bone
When even you and I
Will welcome the messiah.

[From the Atlanta Journal-Constitution,
Feb. 26, 1997]

MARJORIE HIRSCHBERG, 54, ADVOCATE—
FOUGHT FOR RIGHTS OF WOMEN, KIDS
(By Malcolm X Abram)

Marjorie Hirschberg spent much of her adult life committed to helping others. As a homemaker, she watched over her family. As an advocate, she fought for the rights of women and children. And finally, as a victim of Lou Gehrig's disease, she underwent an experimental treatment in hopes of providing a future for herself and others.

Ms. Hirschberg, 54, died Saturday of respiratory failure related to Amyotrophic Lateral Sclerosis—the official name for Lou Gehrig's disease—at St. Joseph's Hospital. The funeral will be a 11 a.m. Sunday at Green Lawn Funeral Home.

Ms. Hirschberg was a native of New Jersey who graduated cum laude from Vassar and later received her master's degree in special education from Bank Street College of Education in New York.

When her family relocated to Atlanta, she briefly taught children with learning disabilities at the Atlanta Speech School before becoming a full-time homemaker, according to her husband, Dick Tauber of Atlanta.

"I was inspired by Marjorie. . . . She was the kind of woman and mother I would want to be," said her friend Audrey Galex. "I've tried to pattern myself after her because she had her priorities straight. Her family and the community came first."

Ms. Hirschberg's devotion to the community was well documented at her daughter Elizabeth's school, Sagamore Elementary, where she taught a special education class and worked with the PTA to bring in more arts-related programs.

Ms. Hirschberg was also active in women's rights issues. As a member of the National Council for Jewish Women, she lobbied for women's and children's rights at the Georgia Capitol. She also co-produced "Atlanta Women's Voices," a public access cable program that discussed issues of particular import to women.

"Something about her was very ethical," said friend and fellow lobbyist Sara Ghitis. "She was a gentle person who had everything about her in the right place."

Ms. Ghitis said that when Ms. Hirschberg found out about her disease, she was furious. "She said, 'I'm not ready to die with all the things I have yet to do in this world,'" Ms. Ghitis said.

When the disease began to severely limit her communication and motor abilities, Ms. Hirschberg sought alternative treatments. "Marjorie had a lot of courage to try this new procedure," said Mr. Tauber. "And she got to go to her son's graduation, which meant a lot to her."

"She told me that as long as I can see my kids, I want to remain alive," said Ms. Galex. "I lost a real role model."

Surviving in addition to her husband and daughter are her son, Ethan Hirsch-Tauber of Atlanta; her parents, Ada and Bernard Hirschberg of Red Bank, N.J.; and a brother, Robert M. Hirschberg of Tustin Ranch, Calif.

TRIBUTE TO RUSSELL PATTERSON

HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise today to recognize Mr. Russell Patterson,

a major contributor to the arts community in Missouri and a friend of mine who is retiring after 40 years as founder and Artistic Leader of the Lyric Opera of Kansas City. He also organized The Kansas City Symphony and has served as its Artistic Director.

In addition to his position with the Lyric Opera of Kansas City, he is Festival Director and Principal Conductor at the Sunflower Music Festival as well as founder and serving as Artistic Director of the Buzzards Bay Musicfest. Mr. Patterson also is credited for founding the Missouri River Festival of the Arts in Boonville, Missouri. He has appeared as guest conductor in opera and concert engagements in Mexico City, London, New York, Seattle, Cincinnati, and Sacramento.

Mr. Patterson has spent his career enriching Kansas City with his talent and vision. He is a graduate of the Conservatory of Music at the University of Missouri-Kansas City. He helped establish the Middle-America Opera Apprentice Program in conjunction with the Conservatory. The Apprentice Program is designed to prepare exceptional young singers for a professional operatic career. The Program continues to gain national recognition for its commitment to aspiring artists.

As a trailblazer in the arts community, Mr. Patterson has served on the Advisory panels for the National Endowment for the Arts and the Missouri Arts Council, as a consultant to the Ford foundation, and on the Board of Directors of OPERA America. He has received numerous awards and honors including the Alumni Achievement Award, the Dean's Awards, the nationally prestigious Conductor's Award from the Alice M. Ditson Fund of Columbia University, and the W.F. Yates Medalion from William Jewell College. In 1996, Mr. Patterson was honored at the OPERA America 25th Anniversary Conference for his years of service.

Mr. Speaker, please join me in congratulating Russell Patterson for his commitment to our community's future artists and his service in music in Kansas City. I wish he and his lovely wife Terri well in all of their future endeavors, and hope we can enjoy some tennis at the Cape.

RETIRED CITIZENS MONTH IN ALABAMA

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. ADERHOLT. Mr. Speaker, I rise today to join Governor Fob James in recognition of Western Hills of North Alabama Advantage for Relocation and Retirement during Retired Citizens Month in Alabama.

North Alabama is home to a significant number of retired citizens. Due to the beautiful natural environment and pleasant weather, people find North Alabama a comfortable place to retire. I commend the people at Western Hills for being fine ambassadors of the State of Alabama and improving the quality of life for all in our State.

I would like to insert into the RECORD the Governor's proclamation in recognition of Retired Citizens Month in Alabama.

Whereas, the Western Hills of North Alabama Advantage for Relocation and Retirement

is dedicated to the development of a positive image of North Alabama; and

Whereas, the Western Hills of North Alabama for Relocation and Retirement promotes community activities, recreational opportunities, historical sites, and many other unique attractions that are indigenous to North Alabama so that more of the nation's retirees will want to relocate to our great state during their retirement years; and

Whereas, retirees carry tremendous importance to the State of Alabama, contributing greatly to our employment, economic prosperity, and international trade relations; and

Whereas, retirees not only contribute to our State through financial means but through their sharing of a lifetime of experience and knowledge that can be passed down to our younger generations of Alabamians; and

Whereas, the State of Alabama supports the Western Hills of North Alabama Advantage for Relocation and Retirement for its efforts to increase the numbers of retirees that relocate to our state:

Now therefore I, Fob James, Jr., Governor of the State of Alabama, do hereby proclaim June 1998 as Retired Citizens Month in Alabama, to further show our State's appreciation for the retired population.

March 18, 1998.

Mr. Speaker, join me in recognizing June as Retired Citizens Month in Alabama.

IN HONOR OF RUTH R. CRONE

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to pay tribute to Ruth R. Crone's outstanding leadership on the occasion of her retirement from the Metropolitan Washington Council of Governments (COG). For thirty years, she has helped guide the Washington region through an era of tremendous growth and change.

As the Executive Director, Ruth was responsible for the overall administration of COG as well as supervising the development and implementation of COG's policies and programs. She served as the Director of Human Resources and Public Safety from 1980 to 1988, and as the Director of the Department of Human Resources from 1972 to 1980.

The Council of Governments, founded in 1957, is an independent, non-profit association composed of the eighteen local governments in the Washington metropolitan area. The COG develops and implements programs in response to regional concerns such as growth, transportation, air and water quality, child care, crime, and economic development.

Ruth also serves as the Executive Vice President of the Center for Public Administration and Service, board member of the D.C. Agenda Support Corporation, ex-officio board member of the Greater Washington Board of Trade, and editor for the Regionalist, the publication of the National Association of Regional Councils. She is a frequent speaker at area universities and association meetings, has appeared on local and national radio and television talk shows and news programs, and has testified before numerous Congressional committees.

Prior to joining COG in 1969, Ruth worked as a planner with the Northeastern Illinois

Planning Commission in Chicago and the Baltimore Department of Housing and Community Development, and as a health planner with the Public Health Federation of Cincinnati, Ohio.

Ruth has been honored many times for her contributions to public service and for her successful career. Her awards include the National Public Service Award from the American Society for Public Administration and the National Academy for Public Administration, the 1998 Alumni Achievement Award from Muhlenberg College, and the International City/County Management Association's Professional Development Award. Washingtonian magazine named her one of the region's most influential leaders in 1992, and one of the region's most powerful women in 1994 and 1997.

Ruth received her undergraduate degree in sociology from Muhlenberg College and obtained her Master's Degree in Community Planning from the University of Cincinnati.

Mr. Speaker, I know my colleagues join me in congratulating Ruth on her outstanding career and many achievements. Her leadership at the Council of Governments will be missed, but her accomplishments never forgotten. The groundwork Ruth has laid will continue to sow the seeds of success for the metropolitan region.

DRED SCOTT COMMEMORATIVE PLAQUE BILL

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. CLAY. Mr. Speaker, today, I am introducing legislation authorizing the U.S. Park Service to install a plaque to commemorate the Dred Scott decision at the Old Courthouse in St. Louis, Missouri.

The Old Courthouse is part of the Jefferson National Expansion Memorial (JNEM) which was created by Congress to commemorate and illustrate many of the historic events which occurred during this nation's westward expansion. The purpose of JNEM is to foster an awareness and understanding of those who settled the vast frontier region west of the Mississippi River.

In keeping with its mission to commemorate the significant occurrences in the westward expansion of the United States, this legislation authorizes the National Park Service to install a plaque advising visitors that the Dred Scott case was tried at this Courthouse and enlightening them to the debate over slavery that was launched by the landmark Supreme Court ruling in the 1857 case of Dred Scott v. Sandford.

Dred Scott, a slave who sought his freedom on the basis that he had lived in free territory, lost his case and his appeal to the Supreme Court. He did not live to see the end of slavery. However, by fighting for his freedom, Dred Scott made a great contribution to this nation. Historians consider the Dred Scott decision to be among the key events that triggered the Civil War. In it, the Supreme Court ruled that slaves could not be citizens of the United States and could not sue in federal courts. But the Supreme Court did not stop here. In an effort to put an end to the debate over slavery, under the leadership of Chief

Justice Taney from the slave state of Maryland, the Supreme Court stated that since a slave was private property, a slave could be taken into the territories and held there—regardless of what Congress or the territorial legislatures ruled. The Supreme Court effectively declared unconstitutional the already repealed but still honored Missouri Compromise which forbade slavery north of 36° 30'.

The Dred Scott ruling did not put to rest the debate over slavery. Instead, the Supreme Court, in Dred Scott v. Sanford, acerbated the tensions between the foes of slavery and the Southern slave holders. Abolitionists challenged the Supreme Court's authority to rule on slavery in the territories while Southerners were incensed by their contempt for the Court's ruling. The bitterness between the North and the South over the issue of slavery intensified in the wake of the Dred Scott decision and four years later the Civil War erupted.

Mr. Speaker, Dred Scott was a slave whose courage helped to forever change the course of this nation's history. Those who visit the Old Courthouse in the City of St. Louis will benefit from a public plaque commemorating his fight for freedom.

HONORING CENTURYTEL AND MOTOROLA'S COMMITMENT TO THE VICTIMS OF DOMESTIC VIOLENCE

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Ms. STABENOW. Mr. Speaker, domestic violence is a very serious crime that affects families and communities throughout the nation. That is why I am very pleased to congratulate CenturyTel and Motorola for their Wireless Alliance for Safe Families initiative that will be announced on June 30, 1998 in Lansing, Michigan.

It is estimated that over four million women each year are abused by their husbands or partners, with many victims of abuse struggling to rebuild their lives because of fear.

CenturyTel and Motorola are teaming up in Michigan to provide an extraordinary service for victims of domestic abuse. Through the use of cellular phones donated by Motorola and local cellular service contributed by CenturyTel, Michigan will now have a program which gives victims of domestic violence access to cellular phones in case an emergency develops.

This program will be a very important part of giving countless domestic victims and their families a new sense of security in their daily lives. Without the strong commitment of CenturyTel and Motorola this service would not be possible.

The work of CenturyTel and Motorola is an important local symbol of what can be accomplished through partnerships between the public and private sectors. I applaud the commitment CenturyTel and Motorola have shown regarding the critical issue of domestic violence and I am proud to join in supporting this new initiative in Michigan.

FORCED CLOSURE OF CENTER FOR VICTIMS OF TORTURE IN TURKEY

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. SMITH of New Jersey. Mr. Speaker, tomorrow marks the observance of United Nations International Day in Support of Victims of Torture.

As Co-Chairman of the Commission on Security and Cooperation in Europe, I am particularly disturbed by the recent forced closure of the Diyarbakir Representation Office by Turkish Authorities. The Office had just opened by the Human Rights Foundation of Turkey on June 13, 1998, with the aim of assisting victims of torture in the southeastern region of Turkey. The Foundation operates similar treatment and rehabilitation centers in Ankara, Izmir, Istanbul, and Adana. Since 1990, these centers have assisted over 3,000 torture victims and have gained national and international respect. The unwarranted closure of the Diyarbakir center by the authorities only four days after it opened is but the latest form of harassment directed against those seeking to provide professional help to victims of torture in Turkey.

I call upon the Government of Turkey to stop its campaign of harassment and intimidation of human rights non-governmental organizations, including the Human Rights Foundation. If Prime Minister Yilmaz is serious about ending torture in Turkey, Mr. Speaker, he should redirect the resources of the state to vigorously prosecute those responsible for acts of torture.

COMMEMORATING 100 YEARS OF THE U.S. ARMY CORPS OF ENGINEERS

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. HORN. Mr. Speaker, 100 years ago, Captain J.J. Meyler led a small group from the U.S. Army Corps of Engineers to construct a breakwater in San Pedro Bay. From this initial project, the Corps of Engineers helped develop and maintain what is now the busiest port in the United States and the largest port complex in the Western Hemisphere. These unsung heroes helped make Southern California an engine of economic growth for the entire Nation. Their designs and efforts have provided protection to the residents and businesses of this area for the past century.

The construction of the San Pedro breakwater led to a new period of sustained growth for the Los Angeles-Long Branch area. The Port of Long Beach is now the busiest port in the Nation and—if they were combined—the Ports of Los Angeles and Long Beach would be the largest port complex in the Western Hemisphere. This work led to the establishment of rail links tying Southern California first to San Francisco, and then to the rest of the Nation. It also served as the foundation for the development of industry which would put Los Angeles and the surrounding communities at the forefront of the American economic expansion.

Although the Corps of Engineers has been intimately involved in the ever increasing capacity of the Ports of Long Beach and Los Angeles, it has provided—much as it has for the entire Nation—numerous other benefits to Southern California. The Corps has constructed flood control channels and shoreline protection to provide a safer place to live and work for millions of people. The Corps built barracks, medical facilities, headquarters, and other important structures that served hundreds of thousands of servicemen at military bases throughout the State during the First and Second World Wars, the Korean War, the Vietnam war, and the cold war with the Soviet Union.

Over time, the national role of the Corps of Engineers in regulatory policy has allowed the Corps to play a broader role in California. The Corps provides valuable assistance in evaluating requests for construction around navigable waters and in the protection of wetlands. The Corps works to maintain safe areas for commercial and recreational boating, including access for passenger service to Catalina Island.

The people of Southern California—and the Nation—owe much to the Corps of Engineers for their dedicated service, hard work, and benefits they provide for all of us. For more than two centuries, the Corps of engineers has served to preserve and protect this Nation. I want to congratulate the men and women of the Corps for their many achievements throughout this country and overseas, and to give particular thanks to the members of the Corps for their 100 years of service to Southern California. Happy anniversary.

REVEREND ROBERT O. SIMPSON: A POINT-OF-LIGHT FOR ALL AMERICANS

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. OWENS. Mr. Speaker, it is with a great deal of pleasure that I pay tribute to an exceptionally dedicated and benevolent spiritual leader—the Reverend Robert O. Simpson. Reverend Simpson will be honored on Saturday, June 27, 1998 at a gala concert celebrating his 25th anniversary of service to Janes United Methodist Church. Reverend Robert O. Simpson is a great Point-of-Light who has changed the face of Janes United Methodist Church through his moral guidance and unwavering commitment to the community.

"Rev. Bob," as he is affectionately called by his parishioners, was appointed as minister of Janes United Methodist Church on July 1, 1973. During his tenure Reverend Simpson has seen significant change in the church. Through it all, one thing remains the same—his enduring dedication to the church and its members. His commitment to the mission of outreach has brought several distinguished men and women to join the church. Since 1973, under the ministry of Reverend Simpson, the active membership of the Janes United Methodist Church has tripled.

Reverend Simpson's greatest challenge as pastor was the rebuilding of Janes United Methodist Church following the November 10, 1984 fire that destroyed the 100 year old building. Through his dynamic leadership, the

support of the Janes congregation, and many members of the community, the new Janes Church was built and consecrated in April 1991. The story of Janes' rebuilding was the basis of Reverend Simpson's post-graduate work and dissertation in "Church Administration and Liturgies" at New Brunswick Theological Seminary.

As a minister, Reverend Simpson is in a unique position to touch the lives and to help mold so many futures. Because of this enormous responsibility, he has initiated a number of programs which contributed to the growth and development of the church and the Bedford-Stuyvesant community. During his pastorate, Reverend Simpson has developed the church's Community Outreach Program, a tutorial program for school aged children; the Senior Citizens' Friendship Club; the Voter Registration and Information Project; referral programs; a Meals-on-Wheels Program; and "God's Sheltering Arms," Janes' ministry to the homeless. Clearly Janes United Methodist Church is in a better position because of Reverend Simpson.

Reverend Simpson's remarkable climb was accompanied by an ever-increasing group of civic, religious, and philanthropic organizations in which he participated. He served the wider community as a member of Community Planning Board #3, District 16 Community School Board and New York Methodist Hospital Board of Directors. He has worked diligently in numerous positions within the United Methodist Church denomination to strengthen the church infrastructure. He has served as Treasurer of the New York Annual Conference Board of Trustees, Chair of the Episcopal Committee, and member of the Council of Finance and Administration.

Reverend Simpson began his formal education in the nursery school at Janes United Methodist Church, the church he would eventually pastor for 25 years. He attended both public and private schools in Brooklyn, New York and graduated from Yale Divinity School in June 1993 with a Master's of Divinity.

In a recent sermon on "Buried Talents," Reverend Simpson emphasized the importance of using all of the gifts and graces God has entrusted to us. His leadership and pastoring of the church is an excellent example of the strength, fortitude, faith and perseverance needed for an effective ministry in the church or any other leadership position. Reverend Simpson has made Janes United Methodist Church a landmark for families to worship and a dramatic force for good. We salute Reverend O. Simpson and the accomplishments of his ministry. He is a great Point-of-Light for all Americans.

HONORING JOSEPH S. TOLBERT

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. COYNE. Mr. Speaker, I rise today to honor a model American who recently passed away.

Born on November 27, 1924 in Pittsburgh, Pennsylvania, Joseph S. Tolbert (Tolochko) enlisted in the U.S. Air Force in 1942 immediately after this graduation from Taylor Allderdice High School. As one of the young-

est command pilots in the American forces in Europe, he completed his 25th mission over Germany only one day before his 19th birthday.

After his service in Europe, he returned to the United States and, over the next few years, maintained his reserve status in the Air Force. Immediately after his graduation with honors from the University of Pittsburgh, he returned to active duty and went on to serve in several subsequent military conflicts. His many years of reserve training with a broad range of aircraft, as well as his experiences in World War II, served him well during the wars in Korea and Vietnam. Recognized as an experienced and talented pilot, he was enrolled in a graduate program at Maxwell Air Force Base for Command and Staff College. During his years of active service, he also taught aeronautical courses at New York University.

Retiring as a lieutenant colonel in 1969, he experienced great success in the automobile sales industry and opened his own dealership in Woodland, California. After several years, he entered the video security market and established several offices of Videoscope Inc. in the Sacramento area. He also participated in several civic organizations, such as the Davis Rotary, the Kiwanis, and the Chamber of Commerce, as well as several professional aviation associations.

He was a beloved husband, father, and grandfather, as well as a successful entrepreneur and an exceptional citizen. I join the residents of the Pittsburgh area in extending our deepest regrets to his family.

**PATRICIA A. FRIEND DISCUSSES
LABOR RIGHTS IN TAIWAN AND
THE ABUSE OF THOSE RIGHTS
IN CHINA**

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. LANTOS. Mr. Speaker, as President Clinton is in the People's Republic of China in search of better relations between our two nations, I hope that his efforts will serve to influence the Beijing government to improve its dismal policies on the application of basic international human rights and to respect internationally-recognized trade union rights for workers of China.

China's human rights abuses have been chronicled on the floor of this House and in numerous committee and subcommittee hearings on many occasions. These abuses include arbitrary detention, imprisonment for political views and exercise of trade union rights, abuse of prisoners and denial of its citizens' rights to freedom of expression and assembly.

In direct contrast to the practices of the government of China, the Republic of China on Taiwan presents a completely different picture. Taiwan is a nation with democratically elected leaders, which respects human rights and trade union rights. Taiwan is a country with a booming economy, but unlike China one does not find forced labor, political repression, and abuse of human rights. In particular, Mr. Speaker, Taiwan guarantees political, economic and press freedoms that are an integral part of civic and political life. Taiwan is a society where workers are freely allowed to form

their own unions and to engage in collective bargaining with their employers.

In this connection, Mr. Speaker, I would like to call to the attention of my colleagues an excellent opinion article which appeared in the San Francisco Chronicle written by Patricia A. Friend, the International President of the AFL-CIO's Association of Flight Attendants, and a member of the AFL-CIO Executive Council.

In her article, Ms. Friend accurately reports on the significant gains that have been achieved by Taiwanese workers, and she points up the sharp contrast to the huge difference in the record of Taiwan vis-a-vis China when it comes to democratic freedoms, economic progress for its citizens, and the application of and respect for international human rights, trade unions rights and free expression.

I commend Ms. Friend for her excellent and timely essay on the state of freedom in Taiwan and I urge my colleagues to give this article the thoughtful attention that it deserves.

[From the San Francisco Chronicle, June 16, 1998]

TAIWAN, NOT MAINLAND, IS ON RIGHT PATH

(By Patricia A. Friend)

It has been nearly two decades since U.S. airlines began regular service to Taiwan and mainland China, establishing a direct and important link to the Asia-Pacific region. That tie and the many others established since have helped spur pro-democracy efforts and new freedoms of speech and press—but only on one side of the Taiwan Strait.

While the People's Republic of China is notorious for abuses of human rights, Taiwan celebrates respect for human rights and the right of employees to form and join unions. In fact, about 200 Taiwanese flight attendants who work for United Airlines based in Taipei have joined the other 45,000 members of the Association of Flight Attendants, a member union in the AFL-CIO and a group that I am proud to serve as international president. The Taiwanese flight attendants are the only Taiwanese nationals to be members of a U.S. labor union.

This development, as much as any other, underscores the vast differences between mainland China and Taiwan.

On the east side of the strait, the people of Taiwan have made dramatic changes in recent years. The island is now a vibrant democracy under the bold leadership of President Lee Teng-hui, the first directly and democratically elected leader in ethnic Chinese history. Last fall the opposition party, the Democratic Progressive Party, took a majority of seats in local elections, clear evidence of the willingness of the Taiwanese people to exercise their newfound right to vote and their freedom to do so.

Taiwan is home to 21.6 million people and one of the most dynamic economies in the world. The economic crisis that has rocked so many Asian nations in recent months has left Taiwan virtually unscathed. The tiny island boasts a per-capita income of almost \$13,000, status as the world's 13th-largest trading partner and the United States' eighth-largest trading partner.

The United States exports \$18 billion a year of goods to Taiwan, 50 percent more than the United States exports to mainland China.

Taiwan has demonstrated a commitment to expanding opportunities there for U.S. businesses. In February, Taiwan and the United States concluded talks, which have been going on for four years, on the terms of Taiwan's entry into the World Trade Organization. U.S. Trade Representative Charlene Barshefsky said the agreement would "dramatically open up Taiwan's markets," particularly in the areas of agricultural products and industrial goods.

Yet despite this progress in the economic arena, America does not have diplomatic relations with Taiwan, and our officials are prohibited from even referring to Taiwan as a "country." Our government refuses to endorse Taiwan's bid to rejoin the United Nations—of which it was a founding member—or other international organizations.

The time has come for Americans to take a stand for democracy, freedom and basic human rights in Asia, issues that will probably be on the table when President Clinton meets PRC President Jiang Zemin in Beijing this month. The People's Republic of China shows no sign of changing its inhuman labor policies. The flight attendants in our union salute the people of Taiwan for the progress they have made in recent years and urge the Clinton administration to acknowledge and champion Taiwan's accomplishments in improving the standard of living of its workforce.

REMARKS OF ADM. ROBERT KRAHEK, COMMANDANT, U.S. COAST GUARD AT HIS CHANGE OF COMMAND CEREMONY

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. CLEMENT. Mr. Speaker, on May 29, 1998, Admiral Robert Kramek retired as Commandant of the United States Coast Guard after 41 years of service to our country. I believe that his remarks at his Change of Command Ceremony will give you but a small glimpse into the life of a Coast Guard officer and the dedication and sacrifice that he has made during his many tours of duty and 19 moves in 19 years. As the Ranking Democrat on the Subcommittee on Coast Guard and Maritime Transportation, I would like to thank him for his leadership and the working relationship that we have developed. Therefore, Mr. Speaker, it is with great pleasure that I present his comments to you:

REMARKS OF ADM. ROBERT KRAHEK

Chairman Wolfe, Secretary Slater, distinguished Cabinet officials, distinguished Administration officials, Chairman Ralston, Service Chiefs, CINCs, distinguished flag officers and active duty and retired and general officers, our friends from foreign nations that are here, leaders of Government and industry, family and friends, and most of all, our Coast Guard team, I'm very honored to be here today.

And I'm very proud to have been the Commandant of our Coast Guard these past four years. The awards I have received today, however, are the Coast Guard's awards, the team that I belong to; and I accept them only on behalf and as a member of that team, the team of live savers and guardians of the sea.

Today my words to you are those of happiness and appreciation and thankfulness for all that you've done to make my vision for the Coast Guard a reality.

It seems like it was only yesterday that I was having a discussion with my father regarding attending the Coast Guard Academy. He was convinced it was the right thing for me. I wasn't so sure. But he was right.

So today, alongside the Barque Eagle where I started almost 41 years ago, I want to take time to thank you for this great opportunity to serve and to be a Coast Guardsman. Thank you to my classmates in the Class of 1961.

They're never outdone. They've been there from start to finish, all the way. And what a great journey it's been. What a wonderful bond we have together. Together, supportive of each other, and supportive of a strong Coast Guard, you've set the standard for all classes, especially in leadership.

We cut the ribbon just last week on the Leadership Development Center. And just a couple of days ago, you gave out a leadership award at the Academy in my name to Ensign Green, Class of '98, and made him an honorary member of our class and he's joined us today.

Thank you for that.

I thank you for the active duty journey in the Class of '61, and I close that chapter of our careers today. But we still have much to do together in supporting our Coast Guard and our Academy.

Thank you to the President, and thank you to my Secretary, Secretary Slater, and the one Department of Transportation team for empowering me to lead this great Agency. The Coast Guard is vital to America. Nobody else in Government can do what the United States Coast Guard does.

A member of the Armed Forces, a law enforcement agency, and a humanitarian service serving the American people. Saving lives and property, keeping the oceans clean and safe, protecting our borders and being a distinct instrument of national security.

Mr. Secretary, you supported my vision and plans and goals to be the premier maritime service in the world, and I thank you for that.

Thank you to our Congress and their very talented staffs for supporting our Coast Guard with the legislation and the resources to do our job. We've spent a lot of time together making sure our Coast Guard was *Semper Paratus*.

Thank you to the Joint Chiefs and the Joint Staff and to the CINCs for helping me make the Coast Guard a distinct instrument of national security and being part and including the Coast Guard in the joint vision.

Our readiness as an Armed Force has never been better, but our Services have never been in higher demand either. We're proud to serve as one of America's five Armed Forces, as we've done for over 207 years.

Thank you to a great interagency team that has helped the Coast Guard to carry out its multitude of missions. Because we're an Armed Force and law enforcement agency, we require a great deal of support from everybody.

The State Department, Justice, Department of Defense, Department of Commerce, and especially my colleagues from Customs, the Drug Enforcement Agency, the FBI, the DIA, the CIA and NOAA Corps and the National Security Council.

You've been especially helpful to all of us in prioritizing and carrying out our responsibilities for the Nation.

As the interdiction coordinator serving the President, and as recent operations have shown in Puerto Rico and Haiti and the Dominican Republic, together and continuing to work together results in a potent team that can stop the flow of drugs to America.

Thank you to our wonderful support groups, the Military Coalition, the Navy League, the maritime industry, the boating industry and even Coast Guard City USA, Grand Haven, Michigan that's joining us today.

Thank you for always thinking of the Coast Guard and taking care of us in your communities. Thank you to my senior team, the Vice Commandant of the Coast Guard, Admiral Dick Herr.

My senior and strategic advisory group, my Area Commanders and Chief of Staff. And all the flag officers and senior executive

service personnel that have turned my vision and goals into an executable business plan that was world class and a model for all in Government to follow.

You are the wardroom of our Coast Guard and have exhibited unparalleled management ability and exceptional leadership. You streamlined the Coast Guard without any loss of service to the American public and made us a model of one of the most efficient Government organizations in history; a quality Agency.

Thank you for that.

Thank you to that great team. We call it Team Coast Guard: active duty, civilian, reservists and auxiliaries. Eighty-three thousand strong working together. You are the real reason that we can live our motto of being always ready.

You've eliminated work place barriers. You've worked together as a family. You've integrated your talents and together made us the premier maritime service in the world. Your selfless service is admired by everybody.

And I'm saddened by the loss of our shipments who have given their lives in these last four years on search and rescue cases so that others may live. We live in a world of perilous operations, and our rescuers deserve the best support that we can give them.

And to all those around the world this morning as we're here at this ceremony who are standing watch, saving lives and serving America, thank you. Thank you to my personal staff, the Commandant's staff and the U.S. Interdiction Coordinator's staff.

No one works harder or is more dedicated than you are, especially the Master Chief Petty Officer of the Coast Guard and the Chaplain of the Coast Guard. I thank you.

It's fun to smile with you and travel with you and work with you and to share experiences. As one of you said recently, "We're a really tight group." We certainly are, and I thank you for that.

Thank you to my family. What a wonderfully supportive, loving group of people. You have great accomplishments on your own right, and I'm very proud of all that.

I'm especially proud of my children. Nineteen moves to nineteen different locations. You've each attended eight different schools. I move three of you during senior years of high school at great personal risk to you socially, athletically, academically; but you're extraordinary.

All graduating from high school with honors, all graduating from college with honors. Now two in law school and one on her way to get her MBA. All tremendous, caring, loving people.

We did it together. Sometimes in the pop-up camper in every national park in the United States between duty assignments, sometimes biking across Glacier National Park, sometimes trying to catch salmon for dinner in Alaska.

To studying calculus at the dining room table so you could pass your exams and putting together your plans for the future, your matrix of life. And thank you for even getting to church on time.

Thank you to my wife Pat. No one I know is more dedicated and loving than you. Every moment, every day, you've been there for all of us. Total selfless support and love. And you've been there for our Coast Guard family as well making sure we take care of all of their needs.

Pat, I hope these flowers will remind you today and always what a great team we've been. I couldn't have done it without you.

Today's state of the Coast Guard is strong because of its people. They are strong. But we've cut back about as far as we can to meet the great challenges of balancing our budget and the mandates for change of a

smaller Government at less cost and improved service to the public.

We've done that. We are smaller today than in any time since 1963. And our fleet of aircraft and ships are some of the oldest in the world—37th oldest out of 41 Coast Guards in the world.

I don't feel this speaks well for the greatest nation on earth. Our recapitalization budgets have been half to two-thirds of what they should have been the past ten years.

And we should not put Americans, as well as the Coast Guard who saves them and answers their call for help, at risk by continuing to operate equipment that has reached the end of its service life, some of which we've had since World War II.

It's time to approve the recapitalization of our fleet. Now that the budget is balanced, we can do that. On the other side of that bridge to the 21st century, I see an increasing demand for Coast Guard services, and history is making it that way.

Our maritime trade will triple in the next 15 years. Mega ships will require world class ports to come into and discharge their cargo to keep us a globally competitive nation. We need a world class waterways management system in this country.

And Mr. Secretary, I thank you for taking the leadership on that new strategic initiative. There's tremendous pressure on our coastal areas both in environmental protection, use of the waters and for safety.

Our Exclusive Economic Zone is the largest in the world: 47,000 miles of coast line out to 200 miles protected by the Magnuson Act which provided a new 9.3 billion square miles of ocean for the Coast Guard to patrol as a maritime law enforcement agency.

The pressure of our borders is greater than ever from drug smugglers to illegal migrants. We are the land of milk and honey, and no wonder everybody wants to come here.

And operations other than war dominate our national security picture. And in order to do that, we have to work together jointly.

Will the Coast Guard be ready for the 21st century? You bet.

This last week, the 21st Commandant of the Coast Guard, Admiral Jim Loy, and his team were putting together the Coast Guard's plans to be *Semper Paratus*. I know no better leader for the Coast Guard as we enter the 21st century than Admiral Jim Loy.

Jim, Pat and I wish you and Kay great success. You are a great team, and we'll be proud you're at the helm of our Coast Guard.

NATIONAL BONE MARROW PROGRAM GAINS VITAL COMMUNICATION TOOL

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. McDERMOTT. Mr. Speaker, in 1986 the United States Congress authorized the creation of the National Marrow Donor Program to facilitate successful transplants of hematopoietic cells from volunteer unrelated donors as a form of life saving therapy for people of all racial and socioeconomic backgrounds.

Today, the National Marrow Donor Program is composed of a nationwide network including 114 Donor Centers, 111 Transplant Centers and over 300 affiliated donor centers across the country. Today, bone marrow transplants

are increasingly being used to treat a variety of diseases. Over 12,000 unrelated transplants were done worldwide in 1995, and the number is projected to grow at a rate of 20% a year. Bone marrow transplantation is a treatment that has come of age and is responsible for saving thousands of lives every year.

In 1991 Admiral Zumwalt, Jr. created The Marrow Foundation to secure support from private sources for the work of the National Marrow Donor Program. The Foundation's goals are to help increase the size and diversity of the national Registry of donors; to assist people undergoing a transplantation financially as they search for a marrow match; and to support research to improve the understanding and outcome of unrelated marrow transplantation.

This year information about the important work of The Marrow Foundation will be widely disseminated to all health professionals that need it, thanks to an educational grant made by Cell Therapeutics, Inc. (CTI), a Seattle-based biotechnology company. CTI has provided The Marrow Foundation with the grant to publish a quarterly newsletter "Team Marrow." This newsletter will reach a network of over 300 affiliated donor centers, recruitment groups, and transplant and collection facilities, as well as more than 2,500 corporate, foundation and individual contributors who share in the commitment of making marrow transplantation accessible to every person who needs it.

CTI, by virtue of its commitment to cancer research, understands all too well the horrendous side effects of a bone marrow transplant. CTI is devoted to bringing novel therapies to the market that will minimize the infections so frequently experienced by individuals undergoing bone marrow transplants. CTI is presently engaged in several clinical trials collaborations with various centers across the country.

Earlier this month, at a celebration of The Marrow Foundation, Dr. James Bianco, CTI's founder, presented the educational grant to Admiral Zumwalt. Now, every transplant center and affiliated institution will have in hand the most current information about the national donor pool and what is being done to improve our capacity to match every person in need.

TRIBUTE TO MAJ. GEN. ROBERT A. MCINTOSH

HON. DAVID L. HOBSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. HOBSON. Mr. Speaker, I take this opportunity to recognize and pay tribute to Major General Robert A. McIntosh for his dedicated and exemplary service to this Nation as Chief of the Air Force Reserve and commander of the Air Force Reserve Command. I am very proud to honor this leader from my congressional district in Ohio. General McIntosh served as the principal advisor to the Chief of Staff of the Air Force and to the Secretary of the Air Force on all Air Force Reserve matters. As commander of the Air Force Reserve Command, he had overall responsibility for the command, control, and supervision of all U.S. Air Force Reserve units around the world.

Over the past three and a half years, General McIntosh performed outstanding service

and exhibited exceptional commitment to the Air Force Reserve. His in-depth knowledge of Air Force and Reserve Component issues has been a tremendous asset to (1) the Congress when deliberating major national defense matters, (2) the National Security Appropriations Subcommittee and the Military Construction Appropriations Subcommittee—on both of which I serve—when debating complex funding issues, and (3) individual Members of Congress when dealing with reserve units and facilities such as my own 445th Air Force Reserve Airlift Wing at Wright-Patterson Air Force Base. In today's environment of shrinking defense budgets where the Reserve Component plays an increasingly important role, the Air Force Reserve's Ambassador to Congress has consistently championed the contributions and versatility of our citizen-aimen.

General McIntosh, a native of Bellefontaine, Ohio, entered the Air Force in 1966 as a graduate of the Ohio University Reserve Officer Training Corps program, and earned a bachelor of science degree in business administration. He completed the Industrial College of the Armed Force in 1977. A Vietnam veteran decorated for extraordinary aerial achievement and devotion to duty while assigned as an A-37 pilot with the 604th Special Operations Squadron at Bien Hoa Air Base in South Vietnam, General McIntosh separated from active duty in August 1971 to join the air reserve technician program as a full-time civil service employee with active participation as an Air Force reservist.

He is a command pilot with more than 4,000 flying hours in the A-10, A-37, C-130, and F-4. His military awards include the Distinguished Service Medal, Legion of Merit, Distinguished Flying Cross, Meritorious Service Medal with oak leaf cluster, Air Medal with 18 oak leaf clusters, Air Force Commendation Medal with oak leaf cluster, and Vietnam Service Medal with three service stars. During his distinguished career, he has commanded an Air Force Reserve wing, commanded two Reserve numbered Air Forces, served as the vice commander of the Air Force Reserve, and served most recently in the dual hatted position of chief of the Air Force Reserve and commander of the Air Force Reserve Command.

General McIntosh's outstanding leadership was crucial to the continuing integration of the Air Force Reserve into the total Air Force, culminating in the congressionally directed activation of the Air Force Reserve Command as the service's ninth major command. Through initiatives he sponsored, the Air Force Reserve successfully entered new mission areas including the Reserve instructor pilot program, Space Command Group, Fighter Reserve Associate Test, AWACS, and Combat Camera.

Mr. Speaker, we have been extremely fortunate to work with General McIntosh as Chief of the Air Force Reserve but look forward with much pleasure to continuing to work with him in his new position as the Assistant on Reserve Matters to the Chairman of the Joint Chiefs of Staff. I was one of the House sponsors of the initiative to create a two-star advisor to the JCS and can think of no one who is better qualified or who would set a higher standard for this assignment. It is a well deserved compliment to be selected as the first occupant of this new, challenging position. Bob, and his wife, Suzie, deserve our thanks for their selfless service to the men and women of the Air Force Reserve.

IN MEMORY OF PAUL O'DWYER

HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. MANTON. Mr. Speaker, I rise to commemorate the Honorable Paul O'Dwyer who passed away Tuesday night after a long and distinguished career. Paul O'Dwyer was a great American and a great New Yorker. His many, many friends and colleagues will miss his wit, wisdom, counsel, friendship, and unflinching dedication to the causes in which he believed.

Mr. Speaker, as the son of Irish immigrants, born and raised in New York City, I cannot think of a person, other than my own father, that I admired more than Paul O'Dwyer. Of his many accomplishment over the years, I will remember most his indispensable role in fighting for peace in Northern Ireland. A fight which we all hope is now within reach, thanks to Paul's untiring efforts on the behalf of justice.

Mr. Speaker, it would be impossible for me to adequately describe Paul's legendary career or capture what he meant to those who he cared about, and to me personally, in this extension of remarks. Let me simply say that New York, the United States and, indeed, the world have lost a great statesman and leader, the likes of whom we are unlikely to see again for some time to come.

Mr. Speaker, I ask unanimous consent that today's New York Times' obituary for Paul be placed in the RECORD at this point.

Mr. Speaker, I know my colleagues will join me in offering our condolences to Paul's wife, his children, and the entire O'Dwyer family.

[From the New York Times, June 25, 1998]

PAUL O'DWYER, NEW YORK'S LIBERAL BATTLER FOR UNDERDOGS AND OUTSIDERS, DIES AT 90

(By Francis X. Clines)

Paul O'Dwyer, a spirited liberal voice in New York politics from his immigrant days in the Democratic clubhouse to his glory years as a fiery anti-Vietnam War insurgent, died Tuesday night at his home in Goshen, N.Y. He was 90.

Mr. O'Dwyer had been in failing health from the effects of a stroke and died quietly in his sleep, according to his nephew and law partner, Frank Durkan.

To his deathbed, Paul O'Dwyer, a white-maned, fiercely browed advocate, embraced a raft of minority causes, identifying with indigents and immigrants, progressives and underdogs well beyond America—from the guerrilla fighters for a Jewish home state to the diehard rebels of his beloved Ireland.

Mr. O'Dwyer was an enduring if rarely elected politician who impressed successive generations as an eloquent battler in the name of conscience. Arriving in America at age 18, he labored up from dock work and garment packing to become one of New York's leading defenders of the underclass.

"The ideals should always come first," Mr. O'Dwyer counseled in a long public life steeped in voluntary civil-rights battles and vociferous challenges of the political establishment.

Elected twice to the New York City Council, he seemed more at home in the politics of the outsider. As an Irishman who had lived under British occupation, he heartily joined the ongoing American struggle against prejudice suffered variously by Jews, blacks, women and the very latest immigrant wave.

"Politics is the only machinery around on which you can really straighten things out," he said in his softly unyielding brogue.

A fleet, unapologetic gadfly, Paul was the antithesis of his older brother William, who rose from the police force to become an urbane master of machine politics as Mayor of New York from 1946 until 1950, when scandals shook his administration. The O'Dwyers moved separately on the crest of Irish-American political power before it faded in the city.

Paul O'Dwyer far outlasted his brother "Bill-O" in public life, fighting for the labor movement and embattled immigrants in the 1940's, against McCarthyism and racial segregation in the 50's, and against the Vietnam War in the 60's. In the antiwar movement, he stood as a patriarchal exception in the eyes of young pacifists intent on trusting no one over 30.

"WE WERE CHANGING THIS NATION"

An ally of Senator Eugene J. McCarthy in the successful antiwar challenge to President Lyndon B. Johnson's renomination in 1968, Mr. O'Dwyer scored an upset victory himself in the New York Democratic Senate primary that year, but lost in the November election to Senator Jacob K. Javits.

"We were taking a country engrossed in an immoral war," he declared afterward, pounding the arm of his chair in celebration of that struggle. "We were changing this nation, By God, we did it. We did do it."

He could make a rampart of a legal brief, too, successfully litigating a landmark 1951 fight against the powerful Metropolitan Life Insurance Company. That suit opened the way for blacks to live in Stuyvesant Town, a huge Manhattan housing complex, and presaged an era of desegregation across the nation.

Mr. O'Dwyer honed his courtroom skills suing insurance companies in negligence cases. But his outside interests were his larger life: He successfully defended Kentucky miners accused of blowing up a bridge in a union dispute, just as he won acquittal of a black teen-ager accused of homicide in a New York City riot in the mid-60's. He sued City Hall to force more budget money into public transit for the working class, just as he defended an unpopular union chief during a city garbage collection strike. In 1958, he joined with Eleanor Roosevelt and Herbert H. Lehman, the former Governor, to found the Committee for Democratic Voters, the state party reform movement.

But his outspokenness for minority causes helped deny him a mainstream role in politics. As president of the New York chapter of the National Lawyers Guild, Mr. O'Dwyer was denounced as a radical for angrily challenging Red-baiting assaults on civil liberties by politicians who were intent on searching for Communist leanings among teachers and other government workers.

"When you come from the period of, first, the Depression and then the McCarthy era," he explained, "if you survive that, then you're less likely to be cautious expressing yourself."

Paul O'Dwyer was among the first volunteers litigating in Deep South integration struggles. "It was like a present on Christmas morning," he enthused about his participation. He was also gladly troublesome as a delegate to the 1964 Democratic National Convention, leading the fight to see the black Freedom Democratic party of Mississippi represented. Personally close to a generation of black politicians, Mr. O'Dwyer managed the campaigns of several. He was credited by Mayor David N. Dinkins with salvaging his career by coaxing him back into public life after Mr. Dinkins had earlier been forced to resign a city job because of his

failure to file income tax returns from 1969 to 1972.

"As a young person, Impressionable, I almost forget who I was, as the Irish often do here," Mr. O'Dwyer once commented on the roots of his desegregation fervor. "Because you are white you think you will be treated equally. I was corrected by my brothers, who were here ahead of me."

He ruled the fading of an era when "Irish Catholic" was synonymous with "liberal Democrat," and told the joke about a tenement clubhouse boss scandalized at the news that O'Brien had turned Republican. "That's a damned lie," the boss thundered. "I saw O'Brien at Mass last Sunday."

As a civil libertarian, Mr. O'Dwyer tapped into vivid memories from his Irish childhood of insurrection against British occupation forces. "The Black and Tans used to drive through the town, shooting it up," he said, recalling the rampages of the British auxiliary police. "It wasn't too different from Mississippi."

DEFENDED BERRIGAN AND BRICKLAYERS

A florid-faced, articulate bantam, Mr. O'Dwyer successfully argued before the Supreme Court for the right of mainland Puerto Ricans to take their voter literacy test in Spanish. In 1972, he stood in defense of a pacifist group called the Harrisburg Eight, led by the Rev. Phillip F. Berrigan, and won them a mistrial on charges of an anti-Government plot against the Nixon Administration during the Vietnam War.

No less fervidly did he represent uncelebrated sandhogs, hod carriers and warehouse clerks in formative trade union years when, he recalled, "strikebreaking and union-busting remained widespread and brutal." He carried a union card in Local 975 of the International Longshoremen's Association. In 1968, he declined to cross a wildcat picket line outside a television studio when he was a Senate candidate, telephoning the apoplectic interviewer to explain, "These are my people."

Mr. O'Dwyer accepted the role of the city's Commissioner for the United Nations during the Dinkins administration. But soon he was boycotting the U.N. cafeteria for its anti-unionism, and finally resigned so he could speak out against human rights abuses by some of the nations he was supposed to be welcoming.

Born June 29, 1907, in the village of Bohola, County Mayo, in western Ireland, Peter Paul O'Dwyer was the 11th and last surviving child of Patrick and Bridget McNicholas O'Dwyer. They were schoolteachers who raised their family in Ireland's grim potato economy, packed into a rude house without plumbing. He later endowed a home for the handicapped on his family home site.

"I sprang from the 'shabby genteel,'" he once said with a smile, using Eugene O'Neill's qualification for the striving Irish poor. Paul O'Dwyer counted himself fortunate for the high school education he received before having to follow four older brothers to New York in the age-old immigration of young Irish to opportunity.

He soon picked up on the politics of Jefferson and Paine after finding clannish lodgings in Mrs. Maguire's Irish boarding house at West 103d Street and Columbus Avenue in Manhattan. Landing a paying job within two days—a touch of clubhouse patronage via brother "Bill-O"—he moved fast on the classic immigrant's route to betterment through night school, first at Fordham University, then at St. John's Law School in Brooklyn.

So fast did he move that he had to obtain special permission from Chief Judge Benjamin Nathan Cardozo of the New York Court of Appeals to take his bar exam in 1929, four years after arriving from Ireland

and two years before he could receive citizenship. In 1931, Paul O'Dwyer became America's newest citizen-lawyer, ringling with the impulses of Thomas Paine. "He sounded simple and logical to my young mind," Mr. O'Dwyer explained.

Anti-Semitism in college fraternities had bonded him to Jewish friends, he recalled in his 1979 autobiography, "Counsel for the Defense." "And the Kings County Young Democratic Club thenceforward was made up of 35 Jewish classmates and me," he noted proudly.

It followed naturally that he was involved in the cause of a Jewish homeland in 1946 by arranging for the illegal entry of Holocaust survivors to Palestine and by aiding the gun-running operations of the Irgun militants fighting the British in the Holy Land. The next year, as chairman of the Lawyers' Committee for Justice in Palestine, he pleaded at the United Nations for Israeli sovereignty.

Successfully defending an admitted Jewish gun-runner in New York in 1948, Mr. O'Dwyer told the court, "He was only doing what every other freedom-loving person would be doing."

As a lawyer, Mr. O'Dwyer became a principal in one of the city's flagship immigrant law firms, O'Dwyer & Bernstein. He began as a clerk to Oscar Bernstein and worked his way to senior partner. From the firm's offices in the financial district, Mr. O'Dwyer helped build the business but found time for assorted challenges to social injustice, typically without fee. He soon was respected as one of the city's sharper-tongued liberals.

"If I thought at the end of the year that all I did was make a living, I'd regard it as a pretty incomplete year," he said of his rich life as an agitator within the system.

"If I've had any success at all, it's been in large measure from listening to young people," said Mr. O'Dwyer, whose eagle-like visage—a dark-eyed glare and shock of prematurely white hair—stood out in the thick of any battle.

LEADING A WELCOME FOR GERRY ADAMS

Even in decline he stayed keen for political justice. In 1994, he beamed from a wheelchair and led the welcoming cheers when Gerry Adams, the Northern Irish republican political leader, was finally allowed into the United States to plead his grievance against Britain. Mr. O'Dwyer was the national coordinator for the American League for an Undivided Ireland.

He ran 12 times for elective office in campaigns noteworthy for thread-bare war chests and life-liberal agendas, daring to call for decriminalizing drug addiction in one. His two successes were in 1963, as Councilman at Large in Manhattan, and 1973, as City Council President, a post in which he made sure to alter the city's official founding date from 1664, when the British landed, to 1625, when Dutch settlers arrived. In six total years in office, he instigated numerous causes, including an uphill battle in 1965 to raise the city's minimum wage to \$1.50 an hour.

Mr. O'Dwyer's abiding comfort was in the good fight. Losing to Carol Bellamy in a 1977 bid to remain Council President, he said "I fought for a lot of civil rights 25, 35 years ago, including women's rights, and I'm in poor shape to complain if I find myself in the way of the machinery that I myself helped set in motion."

He offered a decidedly Irish smile of bemusement when critics focused on his antiwar activity and tried to dismiss him as a single-issue politician.

"The one issue is fair play over the period of a lifetime," Mr. O'Dwyer amended.

His wife of 45 years, the former Kathleen Rohan, died in 1980. In 1984 he married Patricia Hanrahan, then the upstate chief of Gov.

Mario M. Cuomo's women's division. She survives him, along with four children from his first marriage: William, of Albany; Roy, of Fort Lauderdale, Fla.; Brian of Manhattan, and Eileen O'Dwyer Hughes of New York. He had eight grandchildren and three great-grandchildren.

Mr. O'Dwyer long tried to persuade his wife, Patricia, to restake the family flag in elective politics. She finally agreed this year, and he lived to see her running for the 95th State Assembly District in orange county, true to his favorite line of Yeats:

That I may seem, though I die old,
A foolish, passionate man.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1999

SPEECH OF

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1998

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4060) making appropriations for Energy and water development for the fiscal year ending September 30, 1999, and for other purposes:

Mr. ADERHOLT. Mr. Chairman, I rise today in support of H.R. 4060, the Energy and Water Development Appropriations Act for Fiscal Year 1999, and for the hard work of Chairman MCDADE and Ranking Member FAZIO. Although the allocation is tight, they managed to craft a bill that reverses the irresponsible cuts in the budget for the Army Corps of Engineers and other infrastructure projects that are so important to this nation. However, I am concerned about the lack of funding for the non-power programs administered by the Tennessee Valley Authority (TVA).

Since its creation in 1933, TVA has had two responsibilities in the Tennessee Valley: produce electric power; and to provide flood control, navigation, and manage aquatic vegetation growth along the Tennessee River and its tributaries. Many people in Washington today confuse the non-power programs with the larger issue of electric utility restructuring.

I realize that last year the House decided to eliminate funding for non-power programs because the Chairman of TVA, Craven Crowell, announced in early 1997 that TVA would forgo non-power programs to concentrate on the production of electric power. The residents in the Tennessee Valley and the state and local governments expressed a strong desire for TVA to continue its traditional non-power programs.

Under the agreement reached last year between the House and the Senate, TVA is scheduled to receive no funding for these important programs in Fiscal Year 1999. However, the Senate has included \$70 million for the programs, and I am hopeful that when the Energy and Water bill goes to Conference, the House will reconsider funding the non-power programs for Fiscal Year 1999. Until there is an alternative with a clear transition, it is imperative that TVA continue these programs through the appropriations process. The ratepayers of my Congressional District, and throughout the Tennessee Valley, deserve no less.

THE SENIOR CITIZENS PROTECTION ACT

HON. RICK LAZIO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. LAZIO of New York. Mr. Speaker, I rise today to introduce a bill, H.R. 4155, to cut fraud and abuse in our Medicare system, restore balance in our health care system, and give us all a better quality of life. Federal, state, and local governments need more tools at their disposal to crack down on rampant health care fraud. Congress needs to empower law enforcement to preserve and protect Medicare, decrease the crime rate, and let each and every one of us feel safe and secure in our retirement years.

The Health and Human Service's Office of the Inspector General recently released startling information on their audit of the Health Care Financing Administration (HCFA). According to the audit, the Medicare Program lost \$20 billion in fraud and improper payments in Fiscal Year 1997. What is unconscionable is that only \$4 billion was recovered!

A recently published "Focus Group Study of Medicare Insurance Counselors" found that most officials believe a significant amount of fraud exists and continues to undermine the Medicare program. In the study, many experts said HCFA took no action after being notified of fraud. The May 1998 study further cited that HCFA did not have adequate systems and procedures in place to root out fraud.

A major reason health care fraud is at historic levels is because current law bars state officials from even investigating suspected fraud in the Medicaid. This creates an enforcement gap because an entity defrauding Medicaid is often linked to fraud in other federal health programs.

An example from my district on Long Island illustrates this predicament perfectly. A provider was suspected of defrauding Medicaid. The state and its Medicaid Fraud Control Unit began an investigation. That investigation spilled over into allegations of Medicare fraud and the state could not investigate because it lacked the requisite authority. Despite repeated requests from the state, the federal government did not investigate or prosecute the allegations. While the state was trying to wrest control of the investigation for the federal government, the provider billed nearly \$2 million. If the state had the power to investigate, some fraud could have been stopped and stolen money would have been recovered and returned to the government coffers.

My bill, the Senior Citizens Protection Act of 1998, will empower the states and their Medicaid Fraud Control Units by allowing them to investigate Medicare fraud cases when Medicaid fraud has been alleged.

A second reason health care fraud remains unchecked is because current law prohibits states from investigating patient abuse in assisted living and residential-care facilities. Currently, a state only has the authority to investigate patient abuse in facilities that receive Medicaid reimbursement, usually nursing facilities. Yet today, more and more of our friends and family reside in assisted living and other residential-care facilities. Normally, federal and local governments do not investigate suspected patient abuse in these non-traditional

health care facilities and the state lacks the power to delve into these cases. The result is a high number of cases falling through the cracks.

My bill would authorize the states and the Medicaid Fraud Control Units to investigate these patient abuse cases in long-term care facilities.

The government should be doing more—much more—to combat fraud and abuse. “White collar” crimes in the health care industry can be stopped. The Senior Citizens Protection Act requires coordination of anti-fraud efforts, keeps our senior citizens safe, returns all recoveries to the federal government, and does not cost the federal government anything!

Our government should be given all the tools necessary to combat fraud in our health care system and give Americans the peace of mind that their moms and dads are well cared for in their retirement years. We need to ferret out providers who rip off the system, and Americans need to rest comfortably at night knowing our family members and friends receive the highest quality health care without the fear of being physically, mentally, or financially abused. I urge my colleagues to support the Senior Citizens Protection Act of 1998 because it will provide health care security to our seniors and restore their trust in the people who care for them from morning until night.

A TRIBUTE TO ROY LAURENCE

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to an outstanding Senior Citizen of my district, Mr. Roy Laurence.

Roy Laurence, of Indian Head Park, Illinois, has displayed tremendous effort and involvement toward the betterment of many of the members of his community. In the opinion of this Congressman, he has indubitably merited the award of Senior Citizen of the Year.

In recent years he has been extremely involved with many not-for-profit organizations within the third district of Illinois. His activities have included the position of commander of the Robert E. Coulter Jr. Post, American Legion.

In 1996 I worked cooperatively with Mr. Laurence in planning and executing the Jubilee Medal awards program for the veterans of the June 4, 1944, Normandy Invasion. This opportunity allowed me to personally witness the heart and soul that Mr. Laurence has given to each and every one of his involvements.

Mr. Laurence has also expressed a sincere concern for the development of the youth of America. He has chaired committees for both the Boys State Program and the Lincoln's Challenge Program. During his chairmanship for the Boys State Program he personally sought outside funding in order that as many young men as possible receive assistance with their educational development. The Lincoln's Challenge Program, a Defense Department initiative designed to keep youth's in school, has made significant strides and continued to inspire educational development, in large part, due to the resilient involvement of Mr. Laurence.

I hope you will join with me in recognizing this devoted senior's hard work and effort toward his community as a whole.

TRIBUTE TO ELVERA BERGEN

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. PAYNE. Mr. Speaker, I would like to take a moment to pay tribute here in the U.S. House of Representatives to a very special person who will be honored this week in my home district in New Jersey, Sister Elvera (Vera) Bergen.

Sister Bergen has served as the organist for Ebenezer A.M.E. Church in Rahway for over 37 years, performing a true “labor of love” as she has shared her wonderful oratory and musical talents to enrich the spiritual lives of countless members of the community. A member of the First Baptist Church of Cranford, New Jersey and an affiliated member of Ebenezer A.M.E., she is widely admired and appreciated for her devotion to the church and its members. It is fitting that we recognize the accomplishments of this caring and generous woman who has meant so much to us in New Jersey.

I am sure that my colleagues here in Congress join me in congratulating Sister Bergen as she is honored on June 27th, and in wishing her many more productive and fulfilling years.

PERSONAL EXPLANATION

HON. ASA HUTCHINSON

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. HUTCHINSON. Mr. Speaker, during Roll Call Vote #265, agreeing to H. Res. 484, providing for the consideration of H.R. 4103, making appropriations for the Department of Defense for FY 1999, I was unavoidably detained. Had I been present, I would have voted “aye.”

HONORING BRYAN BARDIN OF ST. PETERSBURG, FL FOR HIS AWARD WINNING TRIBUTE TO HIS GRANDMOTHER

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. YOUNG of Florida. Mr. Speaker, during the observance of “Older Americans Month,” the Tampa Bay Regional Planning Council's Area Agency on Aging, in cooperation with the Pinellas County School Board, sponsored an essay contest in which young students were asked to write about their favorite older person.

Bryan Bardin, an 11-year-old student at Bay Vista Fundamental School in St. Petersburg, Florida, was awarded first place for his essay honoring his grandmother, Mary Aucremann. This outstanding essay was published in The

St. Petersburg Times and I would like to share it with my colleagues today. Not only do I commend Bryan for his writing, but I also thank his grandmother for being such a great inspiration to her grandson and to each of us who learn of her good works through his words.

BRYAN BARDIN, 11, FIRST PLACE

It's almost as hard to find a Good Samaritan as it is to find a needle in a haystack. By definition, Good Samaritans are ready to give a helping hand, do for others before doing for themselves and set a good example. I think my grandma is a true Good Samaritan. She is always giving of her time and energy, she sets a good example all the time, and she has the biggest and kindest heart of anyone I know.

My grandma Mary Aucremann (Granny) is a very busy person. If you were to graph how she spends her time using a pie chart, you would find there is only a small slice left for herself. She takes Meals on Wheels dinners to people she doesn't even know. She volunteers some of her time at Cedarkirk, our church camp, repairing anything that needs to be fixed. Some of her time goes to her friends who need her to help them with their errands or problems.

A large slice of her time is used helping us, her family, with our projects, problems and periodic puppy demands. For example, we went to Michigan last year, and Granny was able to pet-sit our three hamsters and our dog. She had to take our dog, Zoe, and three times a day and feed her once a day. She also had to feed and clean all of the hamsters. This sounds easy, but it rained 90 percent of the time. Zoe got as dirty as a pig that had rolled in the mud. So Granny had to give her a bath. Even though all this happened, I think she will do it again this year.

I look up to many people, but Mom says Granny is the best role model for anyone. Like the Boy Scout oath, which says, “To keep myself physically strong, mentally awake and morally straight,” Granny exercises regularly to keep “physically strong.” When she turned 60, she went back to school to learn accounting so she could do the taxes of her children and anyone else who needs help. This keeps her “mentally awake.” Granny is a Christian and lives by the Bible to keep herself “morally straight.” My grandma loves to keep busy by square- and line-dancing. I love her and I love being with her.

Granny has the absolute biggest heart I've ever seen. I think her heart is what holds the family together. She's always there for me and probably everyone else in the world! She loves everything and everyone she comes across. Once, Granny, my mom and I went to Sam's for some food; Granny saw a calendar full of cute puppy pictures and cried over it.

She also comes to all of our school, Scouts and other events. For example, she and my grandfather, Poppo, came to look at my science fair open house, my music concert and my spaghetti dinner. They also came to the Great American Teach-In.

Very recently, Granny had open-heart surgery. We all missed her turkey for Thanksgiving, even though my mom's turkey wasn't that bad. I still don't understand why the doctor had to fix Granny's heart; it seemed fine to me.

I love my Grandma, my true Good Samaritan, good role model, always giving, big-hearted, kind and loving grandmother. Even if her heart was broke one time, it was, is and will always be perfect to me.

INTRODUCTION OF THE MILITARY
RETIREE HEALTH FAIRNESS ACT
1998

HON. HENRY BONILLA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. BONILLA. Mr. Speaker, today I am introducing along with my colleague from Washington State, Mr. Dicks the "Military Retiree Health Fairness Act of 1998". This bipartisan bill is an important step in keeping our promises to military retirees. Specifically, this legislation will make sure that all military retirees have the opportunity to participate in Tricare Senior Prime, by waiving penalties for late enrollment in Medicare Part B. Without such relief those most dependant on the military medical system may well see their access reduced.

Medicare Subvention will allow military retirees to receive the health care they were promised by having Medicare reimburse DOD for care provided to Medicare eligible beneficiaries at DOD facilities. Retirees will be able to continue using the same physicians they have always relied and depended upon. Current law mandates that retirees who had counted on using the military health care system and did not enroll in Medicare Part B will be denied the opportunity to participate. Without change, these individuals would have reduced access to DOD health services due to Tricare Senior Prime participants increased use of the system.

The "Military Retiree Health Fairness Act of 1998" makes sure all military retirees have the opportunity to participate in Tricare Senior Prime. The "Military Retiree Health Fairness Act of 1998" waives the penalties for those who do not have Medicare Part B, but would like to participate in Tricare Senior Prime. We can not allow our military retirees to be neglected. I urge my colleagues to join me and cosponsor this worthy legislation.

INTRODUCTION OF H.R. 4149 "THE
FOREST SERVICE COST REDUC-
TION AND FISCAL ACCOUNTABIL-
ITY ACT OF 1998"

HON. ROBERT SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. SMITH of Oregon. Mr. Speaker, a year-and-a-half ago the Committee on Agriculture convened a hearing in Sunriver, Oregon to discuss deteriorating conditions in the Eastside forests of Oregon. That meeting marked the beginning of what has since become an intensive national inquiry into the way the Forest Service is managing our National Forest System.

Since the meeting in Sunriver, the Committee on Agriculture has held ten hearings to examine the performance of the Forest Service. From the first six of these the Committee learned that forest health and productivity throughout the country is deteriorating due to a decline in active forest management—management that is necessary to provide high quality recreation experiences, maintain a well-functioning rural transportation system,

sustain the integrity of watersheds, improve fish and wildlife habitat, protect timber stands from the devastating effects of unnatural fire, insect and disease activity, and provide an adequate supply of forest products to the American public. Recreationists, wildlife advocacy groups, environmentalists and forest products companies from every quarter have testified that the agency is achieving fewer outputs per dollar spend now than in any other time in its history.

This information has prompted the Committee to take a more detailed look at how the Forest Service manages its annual appropriations, trust funds and off-budget accounts to determine the correlation between fiscal management and resource management. This inquiry has revealed some rather troubling findings, including the following:

In 1995, the USDA Inspector General gave the Forest Service a failing grade on its annual financial report saying that it could not certify that the data contained in the report was accurate. The Forest Service has failed to produce an acceptable financial statement since then.

A total of at least 10 separate General Accounting Office reports have been published in recent years documenting the mismanagement of taxpayer dollars by the Forest Service.

The Forest Service claims to have a \$10.5 billion road reconstruction backlog. Yet, thirty-two percent of the agency's road construction and reconstruction program costs are overhead. The FY99 budget request asked for \$26.5 million for road reconstruction while requesting \$31 million for overhead.

The Forest Service presently charges over 27% overhead to the off-budget accounts it uses for reforestation, brush disposal, and other site restoration associated with federal timber sales. Overhead charged to these funds has increased by 80% over the last five years.

Presently 31% of the total costs of the federal timber sale program is overhead. These costs are in addition to the cost of project planning and implementation, environmental documentation, litigation, and other costs. By way of comparison, in 1996 the Forest Service reports that it spent \$5 million on timber sales litigation, \$54 million on environmental documentation, \$123 million on timber sales preparation and over \$200 million on overhead.

The Forest Service does not currently have a system in place to adequately track the costs associated with the programs it administers. Consequently, inefficiency and escalating overhead is the rule within the agency rather than the exception.

Inevitably, each dollar spent on overhead or lost to inefficiency is a dollar not spent on active forest management. In short, rather than spending more money to deliver quality goods and services to the American taxpayer, the Forest Service is spending more money to support wasteful management and line the pockets of bureaucrats.

Some in Congress argue incorrectly that the solution to the problems I have outlined is to simply eliminate those programs the agency does not efficiently administer. This is the position, for example, of those who advocate eliminating the federal timber program.

This approach, however, ignores rather than solves the problem and is ultimately unfair to national forest constituents. If Congress were

to eliminate every Forest Service program plagued by waste and inefficiency then, in the end, we would be forced to eliminate all of them. The big losers under this way of thinking are the millions of tax paying Americans who use our forests for a variety of purposes every day.

When government misbehaves, Congress' objective should be to discipline the government, not punish the people it is supposed to serve. That is why I have introduced the Forest Service Cost Reduction and Fiscal Accountability Act of 1998.

This legislation will require the agency to reduce costs, limit overhead, and be more accountable to Congress and the taxpayer. Specifically, the bill will do five things:

1. Require the Forest Service to account annually for the costs associated with all of the programs it administers by moving to an "all resources" financial reporting system.

2. Impose limitations on the overhead the agency may charge to off-budget funds.

3. Require the Forest Service to fully disclose in each year's budget request the amount of overhead implicit in each budget line item.

4. Require the Forest Service, in cooperation with the General Accounting Office and USDA Office of Inspector General, to develop a five-year strategic plan for identifying and reducing overhead and unnecessary costs.

5. Require periodic GAO audits of the implementation of the strategic plan and corresponding reports to Congress.

I invite my colleagues in the House of Representatives to join me in quickly moving this bill toward final passage on the House floor.

The Forest Service Cost Reduction and Fiscal Accountability Act of 1998 will produce less waste, greater efficiency, and make more dollars available for active on-the-ground management. It is a good government solution for what ails the Forest Service without unfairly penalizing forest constituents. In sum, it is a win for the good forest management, a win for the Forest Service and, most importantly, a win for the millions of Americans who live, work and recreate in our national forests every day.

INTRODUCTION OF THE MINORITY
COMMUNITY TOBACCO REDUC-
TION ACT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. THOMPSON. Mr. Speaker, today more than fifty Members of the Congressional Asian Pacific Caucus, Congressional Black Caucus, Congressional Hispanic Caucus, and the Congressional Native American Caucus joined with a number of other Members of Congress in introducing legislation to address the disproportionate levels of tobacco use and tobacco related disease in the minority community.

The "Minority Community Tobacco Reduction Act" was developed to address the absence of minority initiatives in national tobacco legislation and to reverse the disturbing effects of the tobacco industry's targeting of minorities. The three main priorities of the bill are: 1. Funding for tobacco-related prevention activities in the minority community; 2. Research on

tobacco's effects on minority populations and the best means to reduce tobacco use in the future; and 3. Transition assistance for small, community-based events and activities which can no longer be sponsored by the tobacco industry.

Without these provisions, guaranteeing reductions in youth smoking among all sectors of the American population will be impossible. Moreover, many of the bills introduced in Congress mandate a substantial increase in tobacco prices that will result in a regressive tax increase on low-income minorities if national tobacco legislation does not include efforts to reduce tobacco use among both minority youth and adult smokers.

The Minority Community Tobacco Reduction Act will ensure that new cessation, prevention, research, or education programs, administered by federal agencies or state health departments (which will be funded through federal block grants), are supported in the minority community based on the minority group's percentage of the smoking population. In addition to funding these initiatives at an adequate level, the legislation assures this historic opportunity to prevent tobacco from further harming the minority community is not squandered. By providing the Deputy Assistant Secretary for the Minority Health with a role in coordinating the minority tobacco activities of the Public Health Service and approving state applications for block grant funds, a sufficient degree of accountability and organization will be established to produce genuine results.

The minority caucuses' legislation also makes \$1 billion of the funds made available by national tobacco legislation for conducting badly needed biomedical, child health, and tobacco-related research at minority education institutions across the nation. Finally, the Minority Community Tobacco Reduction Act funds treatment of tobacco-related diseases at community health centers and provides transition assistance to small, community-based events, activities and publications sponsored by the tobacco industry in the past but may no longer receive advertising dollars as a result of bans included in national tobacco legislation.

Despite last week's defeat of tobacco legislation introduced by Senator JOHN MCCAIN, it is imperative that Congress continue to work toward enacting comprehensive national tobacco legislation that President Clinton will be willing to sign. The bill introduced by members of the minority caucuses today offers substantial policy initiatives that any genuinely comprehensive national tobacco legislation must include.

Minority populations have suffered from disproportionately higher rates of tobacco use and tobacco-related diseases as a direct result of the tobacco industry's targeting. The Surgeon General's report released last month entitled "Tobacco Use Among U.S. Racial/Ethnic Minority Groups" found that Native Americans and African Americans have the highest smoking rates of any ethnic group. Hispanic youth have smoking rates which have almost overtaken those of white youth, and many Asian American/Pacific Islander sub-populations display frighteningly high rates of tobacco use. Minority populations also consistently display the highest rates of tobacco-related diseases, particularly lung cancer.

According to a report recently released by the Centers for Disease Control, these trends of tobacco use in the minority community are

likely to worsen. The report found that smoking rates among African American and Hispanic high school students increased by 80 percent and 34 percent, respectively, from 1991 through 1997.

While the legislation introduced today by the members of the minority caucuses is a stand-alone bill, its provisions are designed to be included in more comprehensive national tobacco legislation.

The Members of Congress who support the Minority Community Tobacco Reduction Act look forward to working with the Republican and Democratic leadership as well as President Clinton to enact national tobacco legislation this year that will take positive steps toward fighting tobacco use in every American household.

The Minority Community Tobacco Reduction Act is the culmination of almost a year of historic cooperation between the minority caucuses. I am proud of the final product, and would like to thank the dozens if not hundreds of people who have participated in its development. In particular, I would like to thank the following congressional staffers who have spent countless hours working on this bill: Adam Gluck, Alysia Davis, Angela Vincent, Ann Jacobs, Bobby Vassar, Brenda Pillors, Charles Dujon, Charles Stephenson, Claudia Pharis, Curt Clinton, Danny Cromer, Darlene Taylor, David Sutphen, David Wildes, Deborah Spielberg, Edward Jackson, Esther Aguilera, Emilie Milne, Fred Turner, Fredette West, Howard Moon, James Williams, Jennifer Leach, Jessica Diaz, John Schelble, Jon Alexander, Joyce Brayboy, Heather Hale, Kate Emanuel, Keith Stern, Ken Keck, Kenya Reid, Kerry McKenney, Kim Alton, Kim Richan, Kimberly McAfee, Kimberly Teehee, Kirra Jarratt, LaTario Powell, Larry Dillard, Leah Allen, Liz Powell, Lucy Hand, Marcus Mason, Marie McGlone, Marsha McCraven, Minnie Langham, Oneki Dafe, Paul Cunningham, Richard Boykin, Ronnie Simmons, Rory Verrett, Samara Ryder, Sean Peterson, Sheila Harvey, Sherry Newton, Susan Rosenblum, Tammy Boyd, Tambi McCollum, Terri Schroeder, Todd Gee, Tom McDaniels, Tony Vance, Ufo Eric-Atuany, Walter Vinson, and Yelberton Watkins.

I would also like to thank Peter Goodloe from the House Legislative Counsel's office for his assistance in drafting our seemingly endless modifications. Without his expertise, this legislation would never have been prepared in time for introduction today.

PERSONAL EXPLANATION

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Ms. DEGETTE. Mr. Speaker, on June 24, I inadvertently voted "no" on roll call 261. It was my intention to vote "yes".

INTERNATIONAL IMPLICATIONS OF SCHOOL-TO-WORK PROGRAMS

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. HYDE. Mr. Speaker, one of the nation's experts on education, D.L. Cuddy has written an important article I would like to bring to my colleagues' attention.

THE NEW TRANSATLANTIC AGENDA

(By D.L. Cuddy)

In the U.S. Congress, Rep. Henry Hyde has been warning people about school-to-work (STW) education initiatives, and Senator John Ashcroft has amended the Workforce Investment Partnership Act now being discussed to prohibit its funding of STW. At the state level, N.C. Rep. Don Davis is chairing a House Select Committee for Federal Education Grants, which has been investigating STW grants among others, and invited Richmond Times-Dispatch op-ed editor Robert Holland to address the Select Committee on this subject.

While the implications of STW at the state and national levels have been widely debated, not much has been written about the international connections. On May 18, the White House released a statement at the conclusion of the U.S.-European Summit in London, indicating that "through the New Transatlantic Agenda (NTA), created in 1995, the United States and the European Union have focused on addressing the challenges and opportunities of global integration."

One part of this "global integration" in 1995 was the agreement between the U.S. and the European Community establishing a co-operation program in higher education and vocational education and training. The agreement, signed December 21 of that year, called for "improving the quality of human resource development . . . Transatlantic student mobility, . . . and thus portability of academic credits." In this regard, a Joint Committee would reach decisions by consensus.

As part of the NTA, the U.S. and European Union then convened a major conference, "Bridging the Atlantic: People-to-People Links," on May 5-6, 1997 calling for "thematic networks for curriculum development," and further stating that in an information-based global economy, "governments too are obliged to adapt their economic, training and social welfare programs." The conference final report noted that in the U.S., ACHIEVE has been one of the organizations at the forefront of defining key issues in this regard and developing strategies to address them. ACHIEVE has been measuring and reporting each state's annual progress in establishing Internationally competitive standards, and business leaders involved have indicated their commitment to consider the quality of each state's standards when making business location or expansion decisions.

The "Partners in a Global Economy Working Group" of the conference discussed "what redesigning of curricula is required . . . (i.e. what career skills are needed), . . . portability of skill certificates, . . . and institutionalizing cross-national learning/training activities."

Most people debating STW in the U.S. are familiar with the role of Marc Tucker, president of the National Center on Education and the Economy. He's also on the National Skill Standards Board (NSSB), and on its website under international links, one finds "Smartcards Project Forum," under which

one reads: "The Tavistock Institute and the European Commission are working on a feasibility study to research the affect of using Smart Cards in competence accreditation. The study will be carried out in the USA and parts of Europe." The project involves assessing and validating students' skills, with information placed on personal skills Smartcards, which "become real passports to employment."

If without a passport one cannot enter a country, does this mean that without a skills passport one may not be able to get a job in the future?

In October 1997, the Tavistock Institute (and Manchester University) completed the final report for the European Commission, and described in a report summary were the relevancy of Goals 2000, SCANS (U.S. Department of Labor "Secretary's Commission on Achieving Necessary Skills") typology with its "profound implications for the curriculum and training changes that this will require," valid skills standards and portable credentials "benchmarked to international standards such as those promulgated by the International Standards Organization (ISO)."

The report summary went on to say that "there is increasing attention being focused on developing global skill standards and accreditation agreements," and there will be "partnerships between government, industry, and representatives of worker organizations . . . (and) a high degree of integration . . . embedding skills within the broader context of economic and social activity, and specifically within the areas of secondary education, work-based learning and local and regional economic development. . . . The NSSB, Goals 2000, STW Program are all combining to act as a catalyst to promote the formation of partnerships to develop skills standards. In this regard, a system like O*Net can be seen as the 'glue' that holds everything together."

O*Net is a new occupational database system sponsored by the U.S. Department of Labor's Employment and Training Administration, and is being piloted in Texas, South Carolina, California, New York and Minnesota. It includes information such as "Worker Characteristics" (abilities, interests and work styles) and "Worker Requirements" (e.g., basic skills, knowledge and education).

INTRODUCTION OF THE CRIMINAL WELFARE PREVENTION ACT, PART III

HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. HERGER. Mr. Speaker, I rise today to announce the introduction of "The Criminal Welfare Prevention Act, Part III"—the third in a series of legislative initiatives I have sponsored to help cut off fraudulent federal benefits to prisoners in state and local jails.

Because of the original "Criminal Welfare Prevention Act"—legislation I introduced during the 104th Congress which was enacted as part of welfare reform in 1996—an effective new incentive system is now in place that enables the Social Security Administration (SSA) to detect and cut off fraudulent Supplemental Security Income (SSI) and Social Security (OASDI) benefits that would otherwise be issued to prisoners. That provision established monetary incentives for state and local law en-

forcement authorities to enter into voluntary data-sharing contracts with SSA. Now, participating local authorities can elect to provide the Social Security numbers of their inmates to the Social Security Administration. If SSA identifies any "matches"—instances where inmates are fraudulently collecting SSI benefits—SSA now cuts off those benefits and the participating local authority receives a cash payment of as much as \$400. Participation in these data-sharing contracts is strictly voluntary; they do not involve any unfunded federal mandates. According to a recent estimate by SSA's Inspector General, this initiative could help save taxpayers as much as \$3.46 billion through the year 2001.

Mr. Speaker, on June 4th of this year, the House passed my follow-up legislation, "The Criminal Welfare Prevention Act, Part II." This proposal would encourage even more sheriffs to become involved in fraud-prevention by extending the \$400 incentive payments to intercepted Social Security (OASDI) checks as well. This provision—included as Section 7 of "The Ticket to Work and Self-Sufficiency Act"—is now awaiting action in the Senate.

Despite this important progress, Mr. Speaker, our work is still not complete. In addition to establishing the new system of monetary incentives, the original Criminal Welfare Prevention Act also authorized the SSA to share the agency's augmented prisoner database with other federal agencies so that similar inmate fraud could be prevented in other federal and federally-assisted benefit programs. In April of this year, President Clinton issued an executive memorandum directing the SSA to act on its newly-granted authority and to make its database available by November 1st. This action, if faithfully executed, could potentially uncover a tremendous number of fraudulent benefit checks that would otherwise be issued to prisoners by the Departments of Agriculture, Education, Labor, Veterans' Affairs, and others. In fact, according to Administration estimates, this could save taxpayers an additional \$500 million over five years.

Mr. Speaker, I want to take this opportunity to congratulate the President for joining this important fight against fraud in our nation's federal programs. However, because fraud prevention has not historically been a top priority at the SSA, I believe that Congress should nonetheless move to codify this administrative action into law.

The Criminal Welfare Prevention Act, Part III is quite straightforward. It would simply require the SSA to share its prisoner database with other federal departments and agencies to help prevent the continued payment of other fraudulent benefits (i.e., food stamps, veterans' benefits, education aid, etc.) to prisoners. I would urge all of my colleagues—on both sides of the aisle—to cosponsor this important legislation and to remind criminals that crime isn't supposed to pay.

INTRODUCTION OF REMEDIAL ANCSA SETTLEMENT TRUST LEGISLATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. YOUNG of Alaska. Mr. Speaker, today I am pleased to introduce legislation which will

enable Alaska Native Settlement Trusts to achieve the goals envisioned for them by the Congress in the original authorizing legislation: to encourage Alaska Native Corporation to use their own assets to provide segregated, protected funds to "promote the health, education, and welfare of . . . (Settlement Trust) beneficiaries and preserve the heritage and culture of Natives." Settlement trusts have been impeded from achieving the laudatory goals originally envisaged because of deficiencies in the original legislation and impediments arising from certain IRS interpretations as well as inflexibility in current tax administration with regard to the trust.

In recent years I have written to the Chairman of the Ways and Means Committee informing him that what has started as a simple proposition, promoted by Congress in the Settlement Trust legislation—to provide aid from a protected source to Alaska Natives who often have very little in other available assets to sustain them and in particular in their retirement years—had become a complex and bewildering situation which frustrated the use of the settlement trust provisions in law. This result stems from an IRS interpretation calling for the immediate taxation to potential beneficiaries when these trusts are established by Alaska Native corporations which have earnings and profits, as opposed to taxation when the money is actually received by the beneficiaries. Put simply, in the case of some beneficiaries, particularly the elderly, who have to prepay taxes in order to receive their benefits and, if they die prematurely, they will not even receive the amount of their prepaid taxes back. Needless to say, this is a substantial impediment to setting up and continuing such beneficial trusts.

But those Native corporations having favorable tax situations which enable them to make contributions to trusts which are not immediately taxable to their beneficiaries face other impediments. The IRS has taken the position that there is no authority to withhold tax from beneficiary payments, which prevents a simple way for a Native to pay his or her tax. The IRS requires that trust reporting to beneficiaries be accomplished via the complex so-called "K-1" form as opposed to the simple 1099 form, so familiar to most of us. As you can imagine, the requirement to use the former, particularly in rural areas in the state of Alaska where accountants may not be readily available, presents major reporting problems. We believe the IRS internally has been supportive of such a change but has advised in the past that it would need to be accomplished by statute.

Finally, the original authorizing legislation failed to provide a mechanism to encourage sustaining the longevity of these trusts dedicated to the goals enumerated. Such trusts are currently treated as regular trusts and penalized for accumulating income with an assessment of the highest marginal tax rate. Accordingly, from the standpoint of a settlement trust, it currently makes good tax sense to distribute all income to the beneficiaries rather than leaving it to be taxed at the current trust tax rate. This, however, does not make good social sense and encourages the opposite result one would envision for these entities, whose goal is to sustain the funds on a long-term basis in order to fulfill the objective envisioned for Settlement Trusts.

Accordingly, Mr. Speaker, Congressman MILLER and Congressman HAYWORTH, and I

are today introducing legislation today which will rectify these problems and facilities settlement trusts functioning in a manner more in keeping with the underlying goals of the Alaska Native Claims Settlement Act. In general, this legislation provides that:

1. Contributions to settlement trusts will not result in immediate taxation to beneficiaries. In the case of ANCSA corporations which have earnings and profits at the time of transfer, any and all distributions from the trust of either principal or interest, will be taxable as ordinary income to the beneficiaries when received up to the amount which would have been subject to taxation under present IRS rulings. This replicates the taxation presently imposed by the IRS but delays it from the establishment of the trust to the distribution to beneficiaries, which is clearly the proper point of taxation. It should be noted that currently, the distribution of principal is not taxable. This provision provides for the taxation of such distribution as part of the overall balance worked into the bill.

2. A settlement trust will be able to defer taxation of up to 45% of its current income in order to "inflation proof" and not dissipate the principal. However, when this deferred income is ultimately distributed to beneficiaries, they will be taxed at ordinary income rates rather than at more favorable capital gains rates or, in some cases at present, not taxed at all.

3. Beneficiaries of settlement trusts will be able to have up to 15% of their distributions by the trust withheld to satisfy their anticipated federal income tax obligations. This will obviously speed up and help insure IRS collections.

4. A settlement trust will be able to issue form 1009's to beneficiaries which should greatly simplify their reporting and again enhance tax collections.

Mr. Speaker, in the development of this bill, a serious effort has been made to address concerns raised during discussions with Department of Treasury officials as well as with representatives of the Joint Committee on Taxation. Substantial information has been provided already to the Joint Tax Committee to help permit the committee to make a realistic revenue estimate. In this regard, it is our belief that by providing offsetting tax measures in the bill and speeding up and otherwise enhancing the collections of tax, we believe that the legislation we introduce today should be essentially revenue neutral.

In sum, such trusts were intended to provide for the segregation of Native assets, to immunize such assets from potential dissipation through business ventures (or premature distributions) or otherwise and to provide a fund which would remain intact for a substantial period of time and hence contribute to the health, education, welfare, heritage and cultural objectives in the current settlement trust statute for years to come. Unfortunately, general tax interpretations and policy, established for far different reasons, have hampered these Congressional goals and objectives.

Therefore, I am pleased that, on a bipartisan basis, I can join with my colleague and Ranking Minority Member on the Resources Committee, Mr. Miller, and my other distinguished colleagues Mr. Hayworth to introduce this important remedial legislation.

NARRATIVE EXPLANATION FOR SETTLEMENT TRUST TAX LEGISLATION

BILL SECTION 1(A)

Identification of ANCSA Settlement Trusts As Eligible To Elect Tax Exempt Status

This provision of the draft legislation permits settlement trusts organized under the Alaska Native Claims Settlement Act, 43 U.S.C. 1601 et seq. (ANCSA), to elect tax exempt status.

BILL SECTION 1(B)

Detailing Tax Treatment For Settlement Trusts And Their Beneficiaries

This new subsection amends the Tax Code to add a new section 501(p), which is comprised of six paragraphs clarifying the tax treatment of ANCSA settlement trusts.

Paragraph (1) provides that contributions to ANCSA settlement trusts are not deemed distributions to the ANCSA corporation's shareholders—the conveyance to the trust does not trigger taxation to the beneficiaries. Paragraph (1) applies whether or not a settlement trust has made the (p)(2) election, and alters an existing IRS ruling posture which has operated as a disincentive to contributions to settlement trusts by taxing beneficiaries prior to their receipt of distributions. However, as noted below, the draft legislation further provides that if an ANCSA corporation has earnings and profits for the taxable year of a contribution, those earnings and profits (up to the amount of the contribution) must be transferred to the trust. Subsequent distributions by the trust will produce ordinary income to the beneficiaries, until these transferred earnings and profits are exhausted. This transfer of earnings and profits eliminates the possibility that settlement trusts could be used to bail out corporate earnings and profits.

Paragraph (2) provides the basic mechanism by which a settlement trust elects tax exempt status. In general under the legislation an electing settlement trust must meet two requirements to be tax exempt. First, the trust must timely file for the election as prescribed. Second, the beneficial interests in the trust must abide by alienation restrictions which prohibit transfers of trust units in the same manner that transfers of ANCSA corporate stock are prohibited; failure to do so results in revocation of the election. If an electing trust violates the alienation restrictions at any point during a taxable year, the section 501(p) election will be automatically revoked for that year and all subsequent years. Once the section 501(p) election is evoked, that trust would not be able to re-elect.

Paragraph (3) provides the distribution requirements for an electing trust in the amount of 55% of adjustable taxable income. If an electing trust fails to meet this requirement, it is taxable at the maximum individual tax rates (presently 39.6%) on whatever amount it would have had to distribute to meet the 55% requirement. As an example, if an electing trust distributed only 50% of its taxable income for a given year, then 5% (55% requirement less 50% actually distributed) would be subject to tax.

Paragraph (4) describes the taxation of the beneficiaries of settlement trusts. Subparagraph (4)(A) applies to electing settlement trusts and imposes a rule that distributions by such trusts are automatically taxable as ordinary income regardless of the source of those distributions. This would include amounts retained without tax incidence at the trust level which are subsequently distributed to beneficiaries. Subparagraph (4)(B) applies to trusts which have not made the new subsection 501(p)(2) election. If the ANCSA corporation does not have earnings and profits for tax purposes when a contribu-

tion is made to a settlement trust, subsequent distributions by that trust are taxable to the beneficiaries under the existing rules of Subchapter J of the Code. In general, under existing law the character of income earned by the trust would flow out to the beneficiaries and distributions of capital and accumulated income are tax free.

On the other hand, if the ANCSA corporation has earnings and profits when a contribution is made to a settlement trust, further rules apply. The contribution is deemed to transfer the corporation's earnings and profits up to the amount of the contribution to the settlement trust. Subsequent distributions by the trust to its beneficiaries will be deemed to come from these transferred earnings and profits and produce ordinary income to the beneficiaries, the same as would occur if the ANCSA corporation had distributed those earnings and profits directly. This treatment continues until the trust has fully distributed the amount of the transferred earnings and profits. Only thereafter is taxation of the beneficiaries controlled by Subchapter J.

Paragraph (5) permits beneficiaries to elect to have up to 15% of their distributions by the trust withheld from their ongoing trust distributions to satisfy their anticipated federal income tax obligations. This paragraph applies whether or not a settlement trust has made the 501(p)(2) election.

Paragraph (6) defines a settlement trust with reference to ANCSA.

BILL SECTION 1(C)

Information Reporting

Section 1(c) provides a mechanism to permit beneficiary reporting under form 1099. Annual information reporting on form 1099 reporting is advantageous for all settlement trusts, even where taxability for beneficiaries is determined under Subchapter J (i.e. as to non electing trusts which have no transferred earnings and profits). In the case of a non electing settlement trust, the 1099 would differentiate among the different types and character of income being distributed. Also, 1099 reporting would be in lieu of the existing requirement that a non electing settlement trust attach a copy of beneficiary K-1s to its own tax return.

BILL SECTION 1(D)

Effective Date

The provisions of the bill are applicable to taxable years beginning and contributions made after December 31, 1996.

IN SUPPORT OF RIGHT-TO-WORK LEGISLATION

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. COBLE. Mr. Speaker, there is an issue that affects my constituents in North Carolina's Sixth District as well as all hard working citizens across America.

It is important to remember that small businesses keep America strong. This Congress must be cognizant of the significant impact small business has on our economy. Congress should take the necessary steps to ensure that our economic system is not endangered by legislation that tightens compulsory unionism. I have always been a strong supporter of North Carolina's right-to-work laws. H.R. 59, which I cosponsored, would protect employees and employers throughout our nation from the economically-crippling effects of

compulsory unionism. Furthermore, this legislation would protect consumers and taxpayers from industry closures as well as increases in government operating costs.

Freedom of choice is the heart of H.R. 59. The right to work means that a worker cannot be fired for not paying fees or dues to labor

bosses. This issue relates directly to the First Amendment, which guarantees our freedom of association. If you do not wish to join an organization, the federal government should not force you to do so, at the risk of losing your job.

Forcing workers to pay union dues as a condition of employment is morally wrong and economically wasteful. We must take steps to relieve employees and employers from the mandated union fees. H.R. 59 will aid America's small businesses